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# OPINION

DELIVERED BY

DR DUNCAN SENIOR,

IN THE

COLLEGE OF PHYSICIANS  
OF EDINBURGH,

*On the 13th of September 1808,*

UPON A

*CHARGE AGAINST DR GREGORY,*

FOR WILFUL AND DELIBERATE VIOLATION  
OF TRUTH.

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EDINBURGH:

PRINTED BY A. NEILL AND CO.

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1808.

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OPINION

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DR DUNCAN KEAY

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## PREFACE.

I HAVE long had reason to believe, that it was Dr GREGORY's earnest wish to force me, either into a paper war, or into a law-suit. He has repeatedly called upon me, in print, to answer numerous charges, which he has brought against me, before the tribunal of the Public. He has repeatedly told me in print, that if he has in any degree calumniated my character, the laws of my country will afford me protection.

I have, however, a strong aversion, both to courts of justice, and to literary warfare. I have long adopted the opinion of his venerable Father: "The quarrels of Physicians, when they end in appeals to the Public, generally hurt the contending parties; but what is of more consequence, they discredit the profession, and expose the Faculty itself to ridicule and contempt\*." The salutary admonition which this sentence conveys, has always had much weight with me. But Dr JAMES GREGORY has neglected and despised it, perhaps more than any medical practitioner in Edinburgh. His outrageous *virtue*, or some less pure motive, has frequently led him to attack others before the tribunal of the public, even upon the slightest supposition of delinquency.

But, notwithstanding the disagreeable consequences resulting from appeals to the Public, there are cases in which both paper war and

\* Duties of a Physician.

law-suits become necessary evils. Dr GREGORY has at length succeeded in drawing me into the former; and he may now, when he pleases, drag me also into the latter. I have repeatedly said, in delivering my opinion in the College, that his Review and Censorian Letter are false and scandalous libels. If this assertion be not true, I may be subjected to punishment, and may smart under the lash of the Commissary Court, (of which he has already had some experience), for groundless defamation. But if he shall commence a law-suit against me, whether in the end I be acquitted or condemned by the courts of justice, I can at least plead before the Tribunal of the Public, that I was not the assaulter;—that I have had recourse to the press only in vindication of my own character, and in vindication of other innocent men who were cruelly and injuriously calumniated by Dr GREGORY. But whether this controversy between us shall terminate in a law-suit or not, now depends not so much upon me as upon him.

He has at length, however, succeeded in dragging me, much contrary to my inclination, into an open paper-war. I have, indeed, before this put some things in print, in answer to his injurious aspersions;—but they have been printed only for the use of my fellow Members, and to save the expence of much writing. If these have already gone beyond the College of Physicians, it is not from me.

I am now, however, adopting a different plan. By the advice of one, to whose steady friendship I have been much indebted for more than fifty years, I lay before the Public an Opinion, which was written for the College of Physicians, and which was read at their Meeting on the 13th of September 1808, when a charge against Dr GREGORY came under their consideration. I shall briefly state some of my reasons for now publishing this Opinion.

Dr GREGORY, in the beginning of his Defence, p. 2., represents an unanimous declaration of the College of Physicians, on the 5th of February 1805, as being void of truth and honesty. His words are: “ *From the nature and terms of the accusation, and from the manner in which it has been preferred, it is plain, that either I or my accusers must have been lying abominably. But this obvious dilemma comprehends and expresses only a very small part of the truth. It is equally certain, that either I or my accusers, and a large portion of my Brethren, who are of course to be my Judges on this occasion, must have been lying abominably, and acting most knavishly for more than three years past.*”

After attacking the whole College of Physicians, in different parts of his Defence, in equally opprobrious and ungentlemanlike language, and representing their virtual decision against him on the 5th of February 1805, as an instance of *unexampled baseness*, he concludes his large volume, p. 493. with the following story :

“ *The general principle which my Brethren seem to have had in view in their most honourable attempt to take exemplary vengeance on me, appears to great advantage in their proceedings. But I can hardly give them the credit of having originally contrived it. I do not think it is quite new, and I shrewdly suspect they have taken the hint from a story that is told of a Quaker, who was grievously annoyed by a dog that barked at him. Dog, said the Quaker, I will not kill thee, but I will give thee a bad name ; and immediately began to bawl out, A mad dog, a mad dog : the consequence was, that the poor cur was dispatched before he could say Jack Robinson.*”

“ *If the sentiments, intentions and wishes of my Brethren with respect to me were to be as plainly expressed in words, I presume they would run thus : “ Dog, we will not kill you, lest we be hanged for it ; we will not strike you, lest you kill us ; we will not attempt to*



*“ vindicate ourselves, lest we make bad worse ; we will not attempt to  
 “ reason with you, lest we catch a Tartar ! But we will give you a bad  
 “ name Dog, and a vote for it.”*

*“ Of their most hearty good-will to give me a bad name, and of their  
 “ admirable talent for voting, I can have no doubt, having had ample  
 “ experience of both. But on the present occasion they shall soon be  
 “ convinced, that their own probity and veracity are in question much  
 “ more than mine ; and that the question must be decided, not by their  
 “ votes, but by just evidence, and by the common sense of mankind.”*

From an attentive perusal of these passages, the discerning reader must evidently see, that Dr GREGORY represents the College of Physicians as being an unprincipled set of men, voting severe censure without any reasoning ; and it is also evident, that his Defence is written and printed, not so much for the College of Physicians as for the Public.

The following pages will, I flatter myself, vindicate me from his calumny on this occasion ; and afford also some defence of my calumniated Brethren.

From an attentive perusal of the Opinion which is now presented to the public, and which is printed from the manuscript which I read in the College on the 13th of September 1808, when the President called upon me to deliver my sentiments, the candid reader will, I trust, be convinced, that I did not give my vote, censuring Dr GREGORY, without what appeared to myself to be satisfactory reasons ; and that when I gave my vote, I had God and a good conscience before my eyes.

How far this opinion of mine, will in any degree vindicate my conduct with readers previously under the influence of prejudice, I will not pretend to conjecture. I well know there are some who have said, “ Nothing on earth will convince them that Dr GREGORY



“is capable of a wilful and deliberate violation of truth.” With such, I can hardly expect that any thing I have urged will have the smallest influence. But I may tell them, that both the discerning few, and the unthinking mob, have sometimes been miserably mistaken with regard to the real character of particular persons. Without travelling back to Lord Bacon, one of the greatest Philosophers that ever lived, I may truly say, that even the City of Edinburgh, in our own days, has afforded striking examples, among its distinguished Divines, Lawyers, and Physicians, of men long eminent for their judgment, their learning, and their piety, who, overcome by a predominant passion, avarice, lust, pride, or the like, have been justly consigned to deserved infamy.

When an unbridled passion has once overcome the judgment, it is impossible to say to what meanness and baseness it may lead those who are its slaves. Man is certainly the glory, but it is no less true, that he is the jest and riddle of the world.

Dr GREGORY, indeed, I am told, treats the whole of this matter as a subject of merriment. And, alluding to his voluminous Defence, he has told some respectable citizens, that he would send them a book which would give them a good laugh. On my mind this controversy has had a very opposite effect; and I may affirm, that, in the short space of three years, it has done more to interrupt my happiness, than all the other occurrences of my life for thirty years before.

I have felt on this occasion for the Profession of Medicine, and for a respectable body of men, the Royal College of Physicians of Edinburgh; for, by the misconduct of one of their number, Dr JAMES GREGORY, they have been much injured in the eyes of the Public.—I have felt for some of my best friends, particularly Dr THOMAS SPENS, a man of the strictest honour, who, in return for

assiduous exertions for the public good, has been cruelly and injuriously calumniated.—I have felt for myself, accused before the tribunal of the public, of fraud, chicanery, and falsification of laws, when I am perfectly conscious of being as innocent of all these charges as the child that is yet unborn.—I have felt for Dr GREGORY, but still more for his near connexions; for I am convinced that some of them will blush for him: and notwithstanding his present proud affected superiority, the development of his conduct may, in the opinion of impartial and discerning men, hurl him to contempt with a fatal precipitation.

But I do not pretend to foretel, whether the majority of readers will view this controversy in a ludicrous or in a serious light. Not a few may view it in both lights. And perhaps I may conclude with observing, nearly in the words of a celebrated Poet,

“ Who would not laugh if such a man there be ?

“ Who would not weep, if” GREGORY “ were he ?”

ADAM'S SQUARE, }  
10th October 1808. }

# OPINION

DELIVERED BY

DR DUNCAN *Senior*,

UPON

*A CHARGE AGAINST DR GREGORY.*

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MR PRESIDENT,

MANY months have now elapsed since a very serious accusation was brought against Dr GREGORY. He has been charged with a wilful and deliberate violation of truth in this room, and in the presence of the College.

We need not, therefore, be surprised at the long time and great pains he has bestowed in his defence, even although it has extended to a much greater length, than, from different letters which he has sent to you, we had reason to expect.

I have read Dr Gregory's long and elaborate defence, which forms a large printed Quarto Volume, with very minute attention; and I can, without hesitation, affirm, that in the whole course of my life, now extended beyond sixty years, I have seldom read a more extraordinary production.

Such abuse as it contains, of the College of Physicians as a body, has, I believe, rarely been poured out, upon any court, even by the most worthless pannel. In my opinion, it ought afterwards to be

the subject of serious and deliberate consideration with the College, how this transgression should be punished, and how similar transgressions may hereafter be prevented ; and directions should I think be given by the College to our Fiscal on this subject.—But I shall at present say nothing more respecting it.

With other accused persons, it has been a common device to endeavour to conciliate the favour of their judges. Dr Gregory has followed a perfectly opposite plan. He has accused the whole body of his Judges, (excepting two, Dr Brown and Dr Barclay, who have only been Fellows for a few months), of the basest and meanest crimes. For, to use his own words, an unanimous vote of the College passed at a regular Quarterly Meeting on the 5th of February 1805, is “ a most wonderful mass of falsehood, absurdity, inconsistency, and withal, most foul injustice” to him.

Knowing, as I do, Mr President, all the circumstances leading to this heavy charge, I can with confidence venture to affirm that it is totally groundless. And although I am now disposed to believe that Dr Gregory will, without hesitation, assert almost any thing which he thinks will answer his purpose ; yet I must own I am surprised that he should have vented such an assertion, as that which I have just read from his defence. That, indeed, he should have cruelly accused many innocent members of this College, of the meanest crimes, does not at all surprise me. This is not the first time he has done so. That he should have included among the victims of his wrath, his intimate friend Dr Wright, and also Dr Yule, who has of late, abetted and supported him in his abuse of other members, I do not think wonderful. They have of late been his assistants in groundless calumny, and justice requires that they too should smart under his lash. But that he should have charged with “ gross absurdity, mean craft, and base injustice,” Dr *Monro senior*, Dr Ha-



milton *senior*, Dr Rutherford, and some other names of unimpeached integrity and judgment, I at first considered as somewhat extraordinary.

Upon mature consideration, however, even this perhaps is not wonderful. For, in my opinion, Mr President, this large volume is not intended as a defence of Dr Gregory's conduct to the College, but is entirely designed to mislead and to bewilder the public.

From many paragraphs, particularly the concluding ones, he seems to take it for granted that the College are to give a decision against him; and the defence which he has now put into our hands, to me appears to be intended as an appeal, from the dreaded sentence of the College, to another tribunal,—the tea-tables of Edinburgh. It was, therefore, perhaps, no bad policy, to vilify those, who he suspected would condemn him.

I have no doubt, that, with some, his bold, though groundless abuse, will gain him reputation. Wise ladies, when they have read all the Logic, and all the Metaphysics, which he has artfully introduced,—when they pay due regard to his dilemmas, his trilemmas, and his polylemmas,—will pronounce him, as some of them have done on former occasions, “ the cleverest fellow that ever was born !” But for my own part, Mr President, I do not envy him any reputation which he may derive from this work : For I firmly believe, that the candid and discerning part of mankind will think it nothing to his honour.

The ground on which he has taxed the whole College, with “ foul “ injustice to himself,” is truly singular. It is founded on a vote of thanks to Dr Spens, which, to use his own words, he has “ dissected “ and anatomized *secundum artem*.”

He has attempted, at great length, to prove, that this vote of thanks is “ a most wonderful mass of falsehood and inconsistency.”

Yet, strange to tell, he has repeatedly declared, that, if six words which it contains had been omitted, (the words, viz. “ and in the “ most honourable manner,”) he himself would have joined in that vote of thanks.

The College, according to Dr Gregory’s own admission, might, with the greatest regularity, have returned thanks to Dr Spens for his exertions, and even testified, that he had acted from the purest motives. “ Had that been all,” Dr Gregory says, “ I myself would have “ joined with them.” But when, in their vote of thanks, they went so far as to say, (what they firmly believed to be true,) that Dr Spens had acted in the most honourable manner, they were guilty, according to Dr Gregory, of the “ grossest injustice.”

On what, Mr President, does Dr Gregory found the baseness and injustice of this declaration? On a most extraordinary basis indeed. Dr Gregory had circulated extensively, in a private and artful manner, false and scandalous libels, under the title of a “ Censorian Letter and Review of the conduct of the College.” I call them *false*; because he has asserted, that Dr Spens appointed a packed committee, to accomplish a dishonourable object in a clandestine manner. This, from my own personal knowledge, having been one of the members of the committee, I can positively declare is not true. I call them *scandalous* libels, because they basely calumniate the character of honest and honourable men, particularly of Dr Spens.

In these libels, giving full indulgence to a wild imagination, and unbounded jealousy, Dr Gregory represented the conduct of Dr Spens as highly dishonourable; and therefore, according to his logic, any man, or body of men, who held a different opinion, and who could venture to declare that Dr Spens had acted honourably, were guilty of the basest injustice. Why? Because their opinion virtually contradicted Dr Gregory’s falsehoods.

Dr Gregory's two printed papers, his *private publications*, as they may justly be called, were not printed solely, or even principally for the use of the Members of this College. Though extensively circulated in Edinburgh, and in other parts of the British dominions, they were never laid by Dr Gregory on the table of the College, or presented to you as a body. Copies of them were not even sent to all our attending Fellows : And Dr Gregory, though one of our Censors at the time when his Censorian Letter was distributed, never once brought any charge whatever in this College against Dr Spens, or the Committee for Revising the Laws.

This being the case, Sir, it was the opinion of some of the most respectable of our number, that the College would act in the most dignified manner, by treating Dr Gregory's groundless calumnies with that contempt which they deserved. They thought, that the character of Dr Spens would be fully vindicated, by returning him thanks for those very transactions for which he had been cruelly defamed, and by declaring his motives to be pure, and his conduct to be honourable, without taking the smallest notice of Dr Gregory or his libels.

What different motives may have led them to adopt this opinion, I cannot pretend to say : But I am inclined to think, that some of them were influenced by an earnest desire to preserve the peace of the College as much as possible ; others, by lenity to Dr Gregory, who, in their opinion, had allowed impetuous passion to mislead his judgment. I know it was the opinion of some, that he would soon become sensible of the impropriety of his conduct in this business, and would sincerely repent it.

It was their earnest wish, that his Review and Censorian Letter, which he had never ventured to send to the College as a body, should never be mentioned within these walls. I must own I was



of a different opinion. This, appeared to me, to be too much lenity to a great offender. I thought, that his private publications should have been brought before our Court, by our Fiscal ; that his false assertion, of the President having appointed a packed committee, for a sinister purpose, and many other falsehoods, should have been publicly contradicted ; and that he himself should have been severely reprimanded, for the cruelty and injustice of his conduct.

But I yielded my own opinion to the judgment of others. Some of them, generally allowed by the world to be men of great discernment, thought, that Dr Gregory's private publications were meant merely as quack bills ; that the great object he had in view, was, not to injure Dr Spens, but to benefit himself ; to attract public notice, and to produce paper war, in which he might display his classical knowledge, his wit, and his talent for disputation. And they imagined, that, by silent contempt, his sinister purpose would be most effectually frustrated, and his wild effusions soonest buried in deserved oblivion.

These few observations, Mr President, are, in my opinion, sufficient to explain the procedure of the College in their vindication of Dr Spens, and in their decision, virtually pronouncing Dr Gregory's Censorian Letter to be a scandalous libel, without deigning to mention his name. They afford, in my opinion, a complete vindication of the College, from the ridiculous charge of foul injustice, which Dr Gregory has brought against some of the most respectable characters in Edinburgh.

But, although this point occupies a large portion of Dr Gregory's defence, yet it is entirely foreign to the question at present before us. Though Dr Gregory should be able to point out many real irregularities on the part of the College, yet it may still be true, that, in this room, he has been guilty of a wilful and deliberate violation



of truth. It is on that question, Has he or has he not been guilty? that we are now to pronounce judgment: For, were we to follow Dr Gregory through all the extraneous matters which he has artfully foisted into his defence, the question before us would never, I believe, be determined. The irrelevant matter introduced, the pitiful wit about Justice Holt's wife, Bishop Sharp's asparagus, Humphry Hocus, John o' Nokes, and many other fine stories, are evidently written, not for a court that is to sit in judgment on a serious transgression, but for gossiping scandal. Erroneous conclusions, under the mask of strict logical reasoning, and gross misrepresentation of facts, constitute a large portion of Dr Gregory's Defence. It contains numerous assertions, which, from my own personal knowledge, I am convinced are not well founded. I do not indeed suppose, that Dr Gregory knew all these to be false when he sent them to the press. But when he boldly affirms, which he has done, though not in express terms, yet in the strongest language, that Dr *Monro senior*, Dr *Hamilton senior*, and Dr *Rutherford*, were guilty of "base injustice," it is surprising to me; that he did not pause; that he did not suspect he was mistaken.

He has, indeed, bestowed much pains to demonstrate, that Dr *Hamilton senior*, although present at the College on the 5th of February 1805, could not possibly consider the conduct of Dr *Spens* as honourable; and he has ingeniously endeavoured to explain Dr *Hamilton's* apparent assent to the vote of approbation of the conduct of Dr *Spens*, on the supposition, that he gave his assent to the measure from not having heard what was said. But unfortunately, Sir, for this hypothesis, it is incumbent on Dr Gregory to prove, not only that Dr *Hamilton* is remarkably deaf, but that he can neither read what is written, or even printed, in plain English: For it is a certain fact, that Dr *Hamilton* had the vote of approbation in his

hand, at first in writing, and afterwards in print, and that in both states it met with his approbation.

Dr Hamilton indeed agreed with Dr Gregory in thinking, that the act 1754, respecting apothecaries shops, ought neither to have been repealed nor altered. But does it follow from this, that Dr Hamilton adopted the unjust and cruel opinion of Dr Gregory, that Dr Spens had acted from impure motives, and in a dishonourable manner? No, Mr President, I know from Dr Hamilton himself, that his sentiments on this subject were perfectly opposite to those of Dr Gregory. Dr Hamilton has publicly joined the other Members of the College in declaring, that Dr Spens acted from the purest motives, and in the most honourable manner; and he has privately spoken with great indignation of Dr Gregory's cruel and scandalous abuse of his Fellow Members. What different motives may have led Dr Hamilton lately to absent himself from the meetings of the College, particularly when strongly urged to attend as an evidence in the present cause, I cannot pretend to say. But, from several different circumstances, it is my firm belief, that his absence has principally arisen from the outrageous conduct of Dr Gregory since the publication of his Censorian Letter.

To point out all the inconsistencies and contradictions which Dr Gregory's Defence contains, would be a tedious and unnecessary task. There are, however, two points, in which I am myself particularly attacked. With regard to these, though foreign to the present question, the College will, I trust, indulge me with a few words.

The first, Sir, is with respect to the Opinions of the Lawyers\*, whom I consulted for my own private satisfaction, my Honourable Friends, Mr Henry Erskine, and Mr John Clerk. In consequence of the misrepresentations of Dr Gregory, I printed, some time ago,

\* *Vide* Appendix.

and sent a copy to every attending Member of the College, of a Memorial and Queries, respecting the conduct of Dr Gregory, which I had previously submitted to these Gentlemen. This, Sir, was not like Dr Gregory's Censorian Letter, a private publication, extensively circulated, even among Ladies. It was merely printed for the use of our own Members, to save much time in transcribing. I had presented two different Memorials to these Counsel. But, as one of them only concerned Dr Gregory's conduct, I thought it at first sufficient to print it alone, with all the Queries subjoined to it, and without the answers which I received from the Lawyers.

To this step of consulting counsel, I was led by Dr Gregory's very singular conduct, and particularly by his still continuing to distribute his infamous libels against Dr Spens, after he well knew that the College had unanimously returned thanks to Dr Spens, for that conduct which he had so strongly reprobated. I wished to know, from the highest legal authorities, what punishment could be inflicted upon him for that transgression, and how he could best be prevented from repeating the offence. This Memorial, Sir, I sent to Dr Gregory as soon as it was printed. It was no sooner put into his hands, than he introduced it into the first part of his defence, presented to the College. In that part, Sir, he accuses me of fraud. His words are, "that I had dexterously suppressed one of my Queries." But not contented with this falsehood, he pretends also to give the answers which I received from the Lawyers; and these, he affirms, he had obtained on good information. In these answers, he contends, that even my own Counsel severely reprimanded me; and demonstrated a thorough contempt for the chicane and trick which they were expected to sanction.



After Dr Gregory sent to the College this part of his printed defence ; to demonstrate how much he had been misinformed of the real fact, I printed, for the information of the College, not only my Memorial respecting Dr Gregory's conduct, but also the other Memorial which I had submitted to the same counsel, and with which he had no particular concern. To each of these was subjoined an authentic copy both of my Queries and of the Answers of the Lawyers.

Had Dr Gregory been a man open to conviction, this must have satisfied him, that he had not only been egregiously misinformed with regard to the answers of my Counsel, but that he had most unjustly accused me of dexterously suppressing a query. But, notwithstanding all that candour and honour, of which he so frequently boasts, no acknowledgment of any misinformation has appeared. On the contrary, (though he either did not know any thing of my two distinct Memorials, or artfully concealed his knowledge of this circumstance), in a part of his Defence lately given in, he piques himself on the accuracy of his first information ; he offers not even the slightest correction of his mistake, with regard to my having, as he asserted, artfully suppressed a query ; and he still persists in maintaining, that I was severely reprimanded by my Counsel for chicanery. I shall not follow his irreligious wit upon this subject, with regard to five hundred of my patients rising from the dead ; but I can establish the injustice of his assertions by incontestible living evidence, which will not be disputed. I hold in my hand, Sir, letters both from Mr Erskine and Mr Clerk \*, which will convince any man of common sense and common honesty, that the entertaining romance which he has founded on the particle *if*, (which he prefaces by saying, that as one *if* is as good as another, it would have been just as easy for the Lawyers to have been explicit, and to have given

\* *Vide Appendix.*



me that very acute and candid advice which he has given for them, and which he concludes with the following remarkable words, “ All  
 “ this, and much of the same kind, I firmly believe to have been in-  
 “ tended by the learned and witty Counsel, to have been under-  
 “ stood by their clients, and to be *bonâ fide* implied in, and logically  
 “ deducible from the monosyllable *if*,”) is not their opinion, but entirely his own.

Notwithstanding Dr Gregory’s superior logical knowledge, notwithstanding his *firm belief*, it now appears, that his very ingenious advice, and his allegation, that my Counsel had reprimanded me for chicanery, are entirely the children of his own imagination.

On this subject I shall only further observe, that one of my Memorials consisted merely of a copy of our enactment 1754, and of an extract from his own Father’s Lectures on the duties and offices of a Physician. The only query subjoined to that Memorial was, Whether any one of our number, who might supply his own patients with medicines, in the manner so strongly recommended by Dr John Gregory, would thereby transgress our act 1754 or not? Mr Erskine was of opinion, that, by following the plan Dr John Gregory proposed, there would be no transgression of the law. Mr Clerk was of a contrary opinion. In Dr Gregory’s comments on the answer of Mr Clerk to this question, he contends, that the mode of practice strongly recommended by his own father, would reduce medicine to a miserable and infamous state of degradation. To any candid man who reads the Memorial and Query alluded to, it must appear perfectly evident, that, upon the supposition that Mr Clerk’s opinion was seasoned with that hyper-oxygenated salt which Dr Gregory alleges, the sarcasm could strike only against his own Father. But, as I have already said, Mr Clerk’s letter to me abundant-

ly demonstrates, that the sarcastic wit here attributed to him is a mere chimera.

The second point, Sir, on which I beg leave to make a few observations, is with regard to a difference between Dr Wright's recollection and mine, respecting what passed in a meeting of the Council, in August 1806, when Dr Stuart suggested that admonition, the origin of which he has already fully explained to the College.

That Dr Wright's recollection and mine were different, with regard to what passed at that meeting of the Council, is certainly true. And on this subject, Dr Gregory, in his usual ungentleman-like language, has used this rude expression, "One or other of them must have been lying." Without any lie on the part of either of us, my memory may have been inaccurate, or Dr Wright's memory may have been inaccurate, yet each of us may have said what he firmly believed to be true.

That Dr Wright's memory has been inaccurate on many other occasions, since this disagreeable business took place in the College, is well known to all of us; and has been repeatedly acknowledged, even in writing, by himself. That it was inaccurate on the present occasion, I can demonstrate by the most incontrovertible evidence: It is demonstrated by a letter to me from Dr Wright, now put in print by Dr Gregory, as part of his Defence. In that letter, Dr Wright states our conversation according to his own recollection. In the very first sentence of that letter, Dr Wright says, "When Dr Stuart read the admonition of secrecy." Now, Mr President, it is an undeniable fact, that you did not read one word on that occasion. Indeed, from the account which you have repeatedly given respecting the origin of the admonition, it was almost impossible that you could read any thing upon the subject; for the idea only

occurred to you, as you have repeatedly told us, in consequence of an accidental conversation in your way to the Hall.

On that occasion, Mr President, the only paper read in the Council, was a proposal from me, respecting the superintendence of the Practice of Pharmacy in Edinburgh, which superintendence is required from the College of Physicians by act of Parliament. As soon as my proposal was read, you observed, that it ought not to be spoken of till the College should come to some decision on the subject, as it would probably be much misrepresented out of doors : And you added, that you really thought a general admonition with regard to secrecy should be given by the College to all its Members, as you had heard, from gentlemen who were not Members, very erroneous accounts of some of our transactions.

I observed, that I thought a recommendation to secrecy, while matters were only in dependence, would be very proper ; and, addressing myself to Dr Wright, I added, “ I hope, Doctor, if the College agrees to this recommendation, Dr Gregory will not hereafter publish any private conversations, either with you or with me.” Dr Wright answered, “ That he had only told to Dr Gregory what passed in the College ; and he did not think that in this he had done any thing wrong.” I replied, “ That I was very far from meaning to blame Dr Wright for what he told Dr Gregory ; but that I blamed Dr Gregory very much for publishing private conversations about College business.” You expressed yourself to be nearly of the same opinion ; and the matter ended with my agreeing to withdraw my motion, that it might be brought forward under a different form, and with the Council agreeing unanimously to recommend to the consideration of the College, that admonition with respect to secrecy, which, in consequence of Dr Gregory’s mis-



constructions and insidious queries, has since been the subject of so much unpleasant discussion.

At a future meeting of the Council in November 1806, I again brought forward a motion, in a different form, respecting the duty of the College in visiting the Shops of Apothecaries. On that occasion, Dr Spens observed, "That what was said in Council, should " never go beyond the walls of that room." It was at that meeting, Sir, Dr Wright put to Dr Spens, what Dr Gregory has called his pithy question. His words, to the best of my recollection, were, " Pray, Dr Spens, may I not tell Dr Gregory what passes in the " Council? Is not Dr Gregory a Fellow of the College?"

This, Sir, to the best of my recollection, is an accurate account of the conversations in the meetings of Council in August and November 1806, on which Dr Gregory has founded some of his wild conjectures. That Dr Wright's recollection of what passed was inaccurate, is, as I have already said, demonstratively proved by his own letter. But even supposing it to have been in every respect accurate, as detailed by Dr Wright in his own letter to me, in my opinion, whether my logic and my morals differ essentially from those of Dr Gregory or not, Dr Wright's letter and mine, now printed by Dr Gregory, by no means warrant those conclusions which he has drawn from them.

Dr Gregory has concluded, that I evidently shewed a strong desire of keeping the admonition a secret from him. But, Mr President, was not the admonition to be publicly proposed to the consideration of the College the very next day? Was it not to be presumed, that Dr Gregory would be present at that meeting? Would he not then have heard it as well as other Members? Till they heard it from the Chair, it was as much unknown to all who were not Members of the Council as to him. Whatever Dr Gregory's



fertile imagination may have led him to conjecture, it is impossible for me to conceive that any important purpose could have been served, by concealing the admonition from him for the space of twenty-four hours. This, however, is the whole foundation from which he has drawn his very decided and injurious conclusion, that either Dr Wright or I must be lying.

But, as I have already said, Mr President, this, and many other heavy charges, are foreign to the question before us. Much extraneous matter is, in my opinion, introduced into Dr Gregory's Defence, with no other view but that of producing prolixity and obscurity. But I hope I shall be excused for having spoken of two points, on which I have been very rudely attacked.—I shall now confine myself to the question before us.

Dr Gregory stands accused by Dr Hope, of no slight transgression,—a wilful and deliberate violation of truth, in the business of this Society. The principal part of the evidence against Dr Gregory arises from what he has said in this room, at different regular meetings of the College, and from what he has written to our President. Although many months have now elapsed, since the crime charged against Dr Gregory was brought forward, yet I dare say the circumstances are still fresh in the recollection of almost every one of us. On this subject, therefore, I shall only observe, that, on the 5th of November 1806, after Dr Gregory, under the pretence of obtaining information respecting a very simple admonition, had read a set of very obnoxious queries, in which he accused your office-bearers, of endeavouring to bespeak the secrecy, and enforce the connivance of their fellow-members, to things notoriously dishonourable; and after he had asserted, that the College had consulted Lawyers, with the view of getting him expelled, I stood up to correct a

material mistake which he had committed. I affirmed, Sir, that Lawyers never were consulted by the College on the subject mentioned by Dr Gregory ; and at the same time I had no hesitation in avowing, that I myself, as an individual, had consulted Lawyers with regard to Dr Gregory's conduct in the College. I observed, Sir, that the College, by an unanimous vote of thanks to Dr Spens, had in reality long since pronounced a decision on Dr Gregory's Review and Censorian Letter : that they had virtually declared these publications of his to be false and scandalous libels. It was well known to all of us, that in these he had accused Dr Spens, without the shadow of proof, of having proposed a revision of our laws, merely as a blind to accomplish a dishonourable object, and of having appointed a packed Committee to obtain his end by fraud and chicanery. This heavy charge, Sir, I firmly believe, Dr Gregory well knew to be a falsehood, when he wrote it. From my own personal knowledge, I knew it to be groundless ; for I was one of the Committee whom Dr Gregory had most unjustly accused of being previously brought over by Dr Spens, to join him in chicanery and fraud. This to my certain knowledge was not true. Every Member of the College, excepting Dr Gregory himself, was, I firmly believe, convinced of my innocence. It was the opinion of every other Member, that the charge of appointing a packed committee was totally groundless. Hence, almost immediately on the publication of Dr Gregory's Censorian Letter, the College came to an unanimous declaration, that Dr Spens had acted from the purest motives, and in the most honourable manner. This vote was indeed passed in the absence of Dr Gregory : But, according to his own confession, he was intentionally absent, because he suspected some strong measure would be taken against him, and in support of Dr Spens. To this vote of approbation of Dr Spens's conduct, I

alluded, when I asserted, that the College had already virtually pronounced Dr Gregory's Censorian Letter to be a false and scandalous libel.

I had no sooner made this assertion, at the Meeting in November 1806, than Dr Gregory stood up, and, with a violence which, in this College, is almost peculiar to himself, declared in the most explicit terms, that, till that instant, he had never heard of any exculpation of the conduct of Dr Spens. This he asserted, Sir, in the most positive and unlimited terms. Had he been disposed to speak truth on that occasion, was he not bound in duty to have said, that he had indeed heard something of a vote of thanks to Dr Spens, but did not imagine that it contained any vindication from the charge of having acted dishonourably. That a vote of thanks was given to Dr Spens, Dr Gregory is now obliged to acknowledge he well recollected at that time. But at that meeting not a word respecting that vote dropt from his lips; and in my opinion it was impossible for any body who then heard him, not to consider him as asserting, that till the hour when I put our records into his hands, the vote of thanks to Dr Spens was entirely unknown to him.†

I must own, Mr President, even then, I found it difficult to believe he was speaking truth. To me, it seemed almost impossible, that a man of Dr Gregory's temper, much under the influence both of jealousy and curiosity, should, for many months, remain altogether ignorant of a matter in which he was so deeply concerned, especially when he had so many, and so easy opportunities, for obtaining information.

It soon appeared, Mr President, that my belief upon this subject was not without foundation. It soon became no secret, that information of the vote of thanks to Dr Spens had been given to Dr

<sup>c</sup>  
+ This declaration of Dr Gregory was made on the 2<sup>d</sup> of Novr 1806; & he repeated it in a Letter to the Friends dated 2<sup>d</sup> Novr 1807, in which he takes an oath before God that he neither knew nor suspected any thing of it. - He was however afterwards obliged to confess



Gregory by two different gentlemen, whose testimony could not be doubted, by Dr Hamilton *senior* and by Dr Wright.

Of the particulars of the conversation, indeed, which passed between Dr Gregory and Dr Hamilton, we have no evidence before us, excepting what Dr Gregory's own confession now affords. Dr Hamilton, according to the information which I have received, takes it for granted, that he will be examined upon this subject, if it should come, which it perhaps may do, before the Court of Session; and till then he is, I have been told, determined to give no evidence whatever.

But, whether this report be well founded or not, certain it is, that he has not of late attended any of our meetings, though duly summoned. I regret very much the absence of Dr Hamilton. But his evidence is not now necessary to establish the fact, of his having had a conversation with Dr Gregory respecting the vote of thanks to Dr Spens. This, Dr Gregory himself is obliged to acknowledge, and admits in his own printed defence. When, therefore, many months after that conversation with Dr Hamilton, Dr Gregory asserted in this room, that he knew nothing of the exculpation of Dr Spens, till the hour when I put the records into his hand, he certainly asserted what was not true.

As to the evidence of Dr Wright, every Member has been long possessed of a copy of it in print. I have considered it with attention, and, in my opinion, it is decisive against Dr Gregory. I am, indeed, truly sorry to observe, that Dr Wright's recollection should, on different occasions, have failed so much, as to lead him to some remarkable contradictions.

On the 5th of February 1805, Dr Wright, as Vice-President, from the Chair which you now fill, in a public meeting of the College, and in the most regular manner, returned thanks to Dr Spens for

*that both Dr Hamilton & Dr Wright had given him some information respecting it. But this confession was not made till the 24 of Novr 1807. when it became almost impossible for him to deny it any longer*



his exertions; with a declaration, that he had acted from the purest motives, and in the most honourable manner. But notwithstanding this public declaration, Dr Gregory dares to affirm, that Dr Wright's sentiments were at that time diametrically opposite to what he delivered from that Chair, as the unanimous sentiments of the whole College at that meeting. Thus, Dr Gregory contends, that Dr Wright, when he sat as your President, acted the part of a mean hypocrite, and a base liar.

In proof of this, he has published a private letter from Dr Wright to him, dated the 29th of January 1805. In that letter, I must own, I sincerely wish Dr Wright, for the sake of his own character, had been more explicit. His first sentence is, "I have, with great satisfaction, read the two papers which you kindly gave me. Had you not known my sentiments before, I would, on perusal, have told you, *Me tuum facias*."

What might be Dr Wright's precise meaning in this sentence, it is perhaps difficult to say. Whether, as Dr Gregory alleges, his meaning was; "You know my sentiments before. I agree perfectly with you in thinking, that Dr Spens has acted from the basest motives, and in the most dishonourable manner, that he has attempted to accomplish a favourite object, by fraud, chicanery, and falsification of laws; and that he appointed a packed committee, whom he had previously engaged to join him in his dishonourable purpose. *Me tuum facias*. I am entirely of your opinion, and I will now abet and support you in all the abuse you can pour out against Dr Spens and his Committee." That such a meaning may be put upon his letter, I will not pretend to deny; and that Dr Gregory has put this meaning upon it, is very evident. But perhaps Dr Wright meant merely to say, "I have read with satisfaction the two papers you kindly gave me, because you have treated, with sarcastic irony,

“ the idea of a Physician having any thing to do with the composition of medicines. Had you not known my sentiments before, that I was a determined enemy to any attempt to amend our law respecting Pharmacy, I should have told you, *Me tuum facias*. I am now determined to support you in opposing every amendment of that law.”

If this last was all that Dr Wright meant, the letter may be honourably reconciled to his conduct on the 5th of February 1805. But if the first was his meaning, and if he then agreed with Dr Gregory in thinking that Dr Spens had acted dishonourably, he must either have very soon repented of what he had written, or he must be a hypocrite indeed. For even making every allowance for the inaccuracy of his memory, I find it almost impossible to suppose that he could have completely forgotten, on the 5th of February, when he returned thanks to Dr Spens for his honourable conduct, the letter he had written to Dr Gregory only a few days before.

But, Sir, whether Dr Wright's memory failed him on this occasion or not, it certainly failed him very much on another occasion, which I shall next mention, as it may be thought a very material part of the proof.

After it was known for certain, that a conversation had taken place between Dr Wright and Dr Gregory respecting the vote of thanks to Dr Spens, at the time that vote of thanks was passed; and after Dr Gregory had positively denied in the College, that he knew any thing of that vote, till I put the record into his hands; three of our number, Dr Stuart, Dr Spens and Dr Hope, applied to Dr Wright, to know from himself the real import of the conversation he had with Dr Gregory in February 1805. After deliberate consideration, Sir, for a whole day, Dr Wright gave these gentlemen a declaration in writing, certified by his own hand, of his having

informed Dr Gregory, that the College had completely acquitted the Committee, and had declared that they had acted quite honourably.

If Dr Wright gave this information to Dr Gregory, he informed him of no more than was strictly true : For the College had unanimously declared their opinion, that Dr Spens had acted from the purest motives, and in the most honourable manner. But Dr Gregory has bestowed much laboured ingenuity to prove, that it was highly improbable that Dr Wright could tell him so disagreeable a truth : That it would have been as bad as coming into his house, to give him a slap in the face. And Dr Wright, from some notes which he has lately discovered, has declared that statement to be incorrect, although, after mature consideration, he had certified it with his own handwriting. Dr Wright now informs us, that it appears from these notes, lately discovered, that when he informed Dr Gregory of the declaration of the College, that Dr Spens had acted from the purest motives, he said nothing to Dr Gregory concerning the declaration of honourable conduct. He was, he tells us, apprehensive, that if he had informed Dr Gregory of the whole truth, it would have excited him to further and violent discussion with the College.

The first document to which I have alluded, under Dr Wright's hand, is in the possession of the College, and upon your table. It would, therefore, be sustained as good evidence before any court. But the second document, from which Dr Wright wishes to correct his former written declaration, he either will not, or cannot produce. In my opinion, however, it is by no means necessary to produce it : For, even admitting the correction to its fullest extent, it affords no exculpation whatever of Dr Gregory. Even Dr Gregory himself now allows, that soon after the Meeting of the College, on the 5th



of February 1805, Dr Wright informed him, that the College had returned thanks to Dr Spens, and had declared their belief that he had acted from the purest motives. Let us then take it for granted, as Dr Wright now asserts, that there he stopt. In that case, Dr Gregory's whole defence is now rested on his never having been informed, that the College had declared Dr Spens to have acted in the most honourable manner.

In my opinion, Mr President, it is a matter of no consequence whatever, whether this last part of the vote of approbation was communicated to him or not. It is now proved and admitted, that Dr Wright informed Dr Gregory of the unanimous declaration of the College, that, in their opinion, Dr Spens had acted from the purest motives. Dr Gregory, however, in his Censorian Letter, had accused Dr Spens of acting from the basest and meanest motives. If Dr Gregory's assertions be true, what could be more base than Dr Spens's motive for appointing a packed Committee? or than his motive for appointing a revisal of the Laws, merely as a blind, to accomplish a favourite object in a clandestine manner? In the action itself, of appointing a Committee to revise the Laws, there was nothing dishonourable. It became dishonourable only because if the motive was a base one. Dr Gregory boasts, in his Censorian Letter, that he has proved every thing he has said from our own records. I will confidently venture to assert, Mr President, that every one particular act which he has proved from our minutes, is in itself perfectly innocent, if not meritorious. The acts to which he refers are only culpable, if they proceeded from bad motives. In short, Mr President, throughout the whole both of the Review and Censorian Letter, the allegation of base motives on the part of Dr Spens, is the great foundation of Dr Gregory's false and scandalous abuse.



When, therefore, the College declared their opinion, that Dr Spens had acted from the purest motives ; although they had said no more, and although they, too, had stopt there, as well as Dr Wright in his conversation with Dr Gregory, yet, by declaring Dr Spens's motives to be pure, they gave a virtual decision, acquitting him, and condemning Dr Gregory : For I think it is impossible for any man to doubt, that, by the " purest motives" introduced into a vote of thanks, the College could only mean the " most honourable motives."

Dr Gregory, indeed, has taken a different view of the sense of the word *purest*. He affects to believe, that, by the purest motives, the College might mean the pure love of gain ; and that the vote of thanks which Dr Spens received was in reality a reprimand. Much, Mr President, as I have of late changed my opinion of Dr Gregory, I could hardly have supposed it possible, that a man, who so frequently takes to himself the merit of acting in the most candid and honourable manner, would have attempted to shelter himself under such a mean, such a pitiful subterfuge. It is impossible for me to suppose, that Dr Gregory could even for a moment imagine, that the College annexed any other meaning to pure motives, than honourable motives. That this was their meaning, is now proved to him beyond all possibility of contradiction, from the next clause of the sentence, which declares their belief, that Dr Spens had acted in the most honourable manner.

But of this confirmation Dr Gregory tells us he was long entirely ignorant. And why, Mr President, was he ignorant of it ? He has taken great merit to himself for his honourable and liberal conduct, as he terms it, of absenting himself from our meeting on the 5th of February 1805, because he suspected that his conduct might become the subject of discussion, and was informed that a motion

would be made for vindicating the character of Dr Spens. But, Sir, was it candid or honourable conduct in him to remain ignorant of what was done at that meeting?

He has attempted to demonstrate, that Dr Wright could not, without great rudeness, tell him what was really the decision of the College. Was it not, therefore, his duty to have taken some other mode of obtaining information? Why did he absent himself from our meeting in May, when the vote of thanks to Dr Spens was again read and confirmed? Why, Mr President, did he not take the most regular and easy mode, that of consulting our minutes, to which he had at all times free access? To me, Mr President, the answer to this question appears to be very obvious. It did not, in my opinion, proceed from any want of curiosity on the part of Dr Gregory, but from an anxious desire of being able to say, that the College had never vindicated Dr Spens from the charges which had been published against him. He had already heard from Dr Wright more, probably, than he wished to know. And, in my judgment, it could hardly be from any other motive, but a wish to be able to plead ignorance of what was done, that he absented himself from our Meeting in May 1805, and cautiously refrained from consulting our minutes, where the real sentence of the College was recorded, for more than a whole year: And at last, consulted them only when he could no longer prevent it; when they were forced into hands in this room, and in a public Meeting of the College,

But, Mr President, without any explanation drawn from our minutes, no honest man could, in my opinion, mistake the meaning of the words "purest motives," when introduced into a vote of thanks. And the miserable quibble, that it might mean the pure love of gain, will not save Dr Gregory, with any man of common under-

standing. That, therefore, he was informed of the virtual decision of the College, vindicating Dr Spens from all his false calumnies, very soon after that decision took place, is, in my opinion, undeniable.

In short, Mr President, from the testimony of Dr Wright; from the facts which Dr Gregory has now acknowledged in his printed Defence; and from what I heard from his own mouth in this room, and in the presence of the College, it appears to me, that the charge brought against him, of being guilty of a wilful and deliberate violation of truth, is as certainly proved as that one and two make three. I can, therefore, have no hesitation in agreeing to the motion before us, That such a violation of truth on the part of Dr Gregory, is highly immoral, and deserves the reprobation of the College.





# APPENDIX.

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## MEMORIAL AND QUERIES

RESPECTING

*The Conduct of Dr JAMES GREGORY, to Dr THOMAS SPENS, and some other Members of the Royal College of Physicians of Edinburgh, submitted by Dr DUNCAN senior, first to the Honourable HENRY ERSKINE, and afterwards to JOHN CLERK, Esq.*

IN the year 1788, the Royal College of Physicians of Edinburgh, printed a copy of their Laws and Regulations, extracted from their Minutes and Charter. Soon after that period, many changes took place; several new laws were enacted, and several old ones repealed or altered. Among other particulars, a very important alteration was made with respect to the fees paid by Members on their admission. Thus, in many particulars, the printed Laws ceased to be the regulations of the College; and, in many other particulars, they were entirely silent, so that considerable difference of opinion took place among the Members.

Of this, a remarkable instance occurred in 1804, when a Society of Artists applied to the College, to have the use, for the space of a

month, of the lower part of the College Library-room, for an exhibition of pictures. A very considerable majority of the Members, (among whom were the President, Dr Gregory, Dr Duncan *senior*, &c.) thought that the College ought to have granted this request ; but the measure was strenuously opposed by Dr Monro *senior*, and Dr Rutherford, who contended, That a majority of the College had it not in their power to grant the use of the Hall, and that this could only be done by unanimity.

On this subject, however, the laws of the College were entirely silent. It was therefore suggested, that, to prevent such disputes in future, a Committee should be appointed to revise the Laws, and to submit to the consideration of the College a new draught of the whole, with such alterations and additions as they might think proper.

This Committee consisted of Dr Spens, the President ; Dr Hope, the Secretary ; Dr Buchan, the Fiscal ; Dr Duncan *junior*, the Librarian ; and Dr Duncan *senior*, who had been a Member of the former Committee for revising the Laws, in 1788.

This new Committee, by Dr Duncan's advice, resolved to follow the very same plan that had been adopted by the Committee in 1788. They held, for a considerable time, regular weekly meetings, at which they considered the Laws, section by section, and they reconsidered, at every succeeding meeting, what had been determined upon as most proper at the former one, often again making alterations. But they thought it prudent to avoid, as much as they easily could, any conversation with the other Members of the College, respecting the intended alterations, till they should be able, finally, to make up their own minds with respect to these alterations, and to present the College with a connected view of the whole.

From this *silence* or *secrecy* (if it may be so called) for a short time, they imagined that many advantages would result. The Members of the College would not be so apt to form erroneous opinions, from partial information, and the Committee would not be distracted in their proceeding, by very opposite opinions, from different Members, respecting particular laws. At the same time, they saw no evil whatever which could arise from their silence, as the whole was, in a short time, to be subjected to a full and candid examination.

This resolution of secrecy, however, was not so strictly adhered to, as to prevent certain parts of the intended Report from being the subject of conversation, both among some of the Members of the College, and likewise among some of the Members of the Corporation of Surgeons. This was particularly the case with respect to a clause which the Committee proposed to add to the regulation prohibiting Members of the College of Physicians from keeping Apothecaries Shops. Respecting this Law, the Members of the College had often before differed in opinion; and by the clause now proposed to be added, the Committee were, after much discussion and repeated consideration, unanimously of opinion, not only that future disputes would be avoided, but also that the practice both of Medicine and of Pharmacy, in the City of Edinburgh, would be materially improved.

Respecting the meaning of the former act many Members entertained different opinions. Some thought that it only prevented the Members from keeping open shops for the retail of Medicines, as had formerly been done by some of the most eminent Physicians in Edinburgh, even by the celebrated Pitcairne himself. Others thought, that it prohibited even private shops, but did not prohibit any Member from supplying his patients with all the Medicines he



prescribed, provided he was paid only for his attendance. While a third set were of opinion, that the Law, as it at present stands, was daily transgressed by the Professors of Chemistry and of Materia Medica, who teach and practise Pharmacy, both by themselves and their servants. For these reasons, they thought some explanation of the Law was necessary: And this subject underwent, in the Committee, much candid discussion.

At one Meeting, they thought of proposing to the College an entire new enactment. At another, it was proposed, that the greatest part of the old enactment should be retained; but that some alterations and additions should be introduced. But, in the end, they agreed that the old enactment should remain, without any alteration, to be signed by the future Members of the College, in the same manner as had been done by former ones; but that an article should be added, explaining the former Law in such a manner as would prevent any future disputes with respect to the meaning of it; and which would so far alter and amend it, as to afford an inducement to the younger Members of the College, to employ their time and talents in the improvement of Pharmacy,—and thus to obtain, not only for the City of Edinburgh, but for the Public at large, the most improved Pharmacopœia in Europe, in the future editions of that published by the College of Physicians of Edinburgh.

These considerations finally led the Committee to adopt into their Report the clause alluded to. They did not expect that the Members would be unanimous in their opinion with regard to it. But they well knew, that their sentiments on this subject were afterwards to undergo a full, fair and free discussion among the Members, and to be submitted to consideration at Three separate Meetings, before they obtained the force of Law; and that they were finally to be



adopted, altered or rejected, according to the determination of the majority.

After the Committee had finished the consideration of the laws, and had drawn up a full Report, which contained important alterations and additions in almost every section, that Report was presented to a regular Quarterly Meeting. The Meeting directed, that the Report should be deposited on the table of the Library, and should there remain open, for the perusal or consideration of the Members, for the space of Three Months, before any further remarks were made upon it.

In all this procedure, both the Committee and the College followed precisely the same plan in 1804, that had been adopted in 1788; and no Member of the Committee entertained even the most distant suspicion, that they could be accused by any human being of fraud or chicanery, or of an attempt to get the laws passed in a surreptitious manner.

Nay, so anxious was the President, in particular, that every Member should be thoroughly acquainted with all the alterations and additions proposed by the Committee, that he directed a copy of the Report to be made out, and circulated through all the Members. By this means, every Member had an opportunity of reading the Report at his own house; a measure which was not adopted in 1788. Thus, every Member who remained ignorant of any important change proposed by the Committee, not only had himself alone to blame for his ignorance, but was guilty of a gross neglect of duty to the College.

But notwithstanding this regular and cautious procedure, on the part both of the Committee and of the College, (which particularly demonstrated the anxiety of the President, that every thing should be conducted in the most unexceptionable manner), Dr GREGORY

has printed Two Works, in which he has thrown out the most severe and groundless reflections on the President and Committee, representing them as men void of honour and honesty.

He has, in particular, laboured to persuade his readers, and to render it probable by many gross misrepresentations.

*1st*, That the President brought forward the proposition of revising the Laws of the College, merely as a blind, and solely with the intention of accomplishing a favourite object in a clandestine manner.

*2dly*, That the President appointed, as a Committee for revising the Laws, a set of men, whom he had previously prevailed upon to join him in his dishonourable project. And,

*3dly*, That the President, with his Committee, were guilty of fraud, chicanery, and falsification in this business; and, that their conduct was highly dishonourable.

Every one of these severe accusations is totally groundless. Dr Gregory well knew, that the printed copy of the Laws was no longer the Regulations of the College in many essential particulars. He well knew that many other changes were wished for by different Members. Nay, when he himself was President, he repeatedly suggested the propriety of applying for a new Charter. This, among other subjects, was under the consideration of the Committee; but, in the end, they agreed, that an application for a new Charter would, at present, be inexpedient.

So far was the President from having appointed a packed Committee, with the view of accomplishing a favourite object with respect to Pharmacy, that, when the regulation respecting it came under consideration, Three of the Five Members, (*viz.* Dr Duncan *senior*, Dr Hope, and Dr Buchan), were against any alteration or addition whatever; although, after long reasoning, and repeated con-

sideration, they were at length induced, in some degree, to alter the opinion they had at first formed on this subject.

The charges of fraud and chicanery are entirely the children of Dr Gregory's imagination. In place of any attempt to get the law passed in a clandestine manner, the Report of the Committee was brought forward with the greatest regularity. It was not only open to the inspection of all the Members, in the Library, for several months, but was also circulated through the whole Members. With what justice could it be alleged, that the Committee had falsified a law, when they merely submitted to the consideration of the Members, a clause for explaining and amending it?

And, so far were the sentiments of the College in general different from those of Dr Gregory, that, after his two publications appeared, they passed, at a full and regular meeting, an UNANIMOUS RESOLUTION, declaring, That the President and Committee had acted from the purest motives, and in the most honourable manner. The Vote was unanimously confirmed at a subsequent Quarterly Meeting; from which, as well as the former, Dr Gregory alone absented himself. But it can hardly be supposed, that he remained ignorant of what was done at these Meetings; and it was his own fault only, if he did not know that the College had thus virtually declared all his accusations of the President and Committee to be false and groundless.

Notwithstanding this declaration of the College, Dr Gregory continued to distribute, in a private manner, his scandalous libels, which have thus fallen into the hands of many who have had no opportunity of hearing the sentiments of the College with respect to them.

Every Member of the College, on his admission as a Fellow, signs an obligation, which contains the following clauses :



“ I shall never divulge any thing that is acted or spoken in any  
 “ Meeting of the said College, or Council, or Court thereof, which  
 “ I think may tend to the prejudice or defamation of the same or  
 “ any Member thereof.

“ All the foresaid articles I shall keep; and never wittingly and  
 “ willingly break any one of them, as I desire to be holden and re-  
 “ puted an honest man, and a good Christian.”

Before Dr Gregory had distributed any of his pamphlets, or at least before the President, or any Member of the Committee, had seen a copy, either of his Review or Censorian Letter, the President was informed, upon good authority, that Dr Gregory had printed something; and he was anxious that it should not appear in public, as he thought it would tend to the prejudice and defamation of the College. Dr Spens, therefore, in conjunction with Dr Hope, wrote Dr Gregory a private and friendly letter, earnestly requesting him to suppress his intended publication; and, at the same time, reminding him of the obligations which every Fellow of the College comes under, not to divulge what was acted or spoken in the College, when it might tend to the prejudice and defamation of others.

But, in place of complying with this request, Dr Gregory immediately began the distribution of his pamphlets among the Members of the College, and sent them also to many other Gentlemen, not residing in Edinburgh, but at a distance from it, and altogether unconnected with the College of Physicians. Nay, he has even continued to distribute them, after the unanimous vote of the College, which virtually pronounced them to be a false and scandalous libel.

Under these circumstances, the opinion of Counsel is requested, in answer to the following Questions :

*Q. 1.* Has Dr James Gregory, by distributing his Review and Censorian Letter, wittingly and willingly divulged what was acted in the Collège, to the prejudice or defamation of any of the Members? And, has he been guilty of a breach of the solemn obligation which he came under, when he was admitted a Fellow of the College?

*Q. 2.* If he has been guilty of a breach of that obligation, what punishment can the Collège inflict upon him for his transgression? Can they expel him from their number, as having forfeited the character of an honest man? Or, would it be more advisable to punish him by fine, by reprimand, or otherwise?

*Q. 3.* As Dr Gregory has long continued, and may probably still continue, to distribute his injurious publications, what measures ought the College of Physicians to adopt, with the view of preventing him from distributing any more copies of them?

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OPINION of the Honourable HENRY ERSKINE.

*Q. 1.*—"I am of opinion, that Dr Gregory, by distributing his Review and Censorian Letter, was guilty of a breach of the obligation which he came under when he was admitted a Fellow of the College."

*Q. 2.*—"There being no sanction from the obligation itself to inflict the punishment of expulsion upon a Member breaking through

the same, or even to fine him, I am of opinion, that he can neither be expelled nor fined. But the College have certainly a right to reprimand him under it, if the majority are of opinion that he deserves to be reprimanded.

Q. 3.—“ There is no legal step which the College can take to prevent Dr Gregory from publishing any work ; although it would be competent for the College to apply for an interdict against the distribution of any particular work already known, and the terms of which could be shewn to be injurious to the College.

(Signed) “ HENRY ERSKINE.”

Dated, “ 66. *Prince's Street*, 2d April 1806.”

Together with these Answers to the Queries proposed in the Memorial, Mr Erskine sent Dr Duncan the following Opinion, on a separate paper :

“ I am of opinion, that there is matter in Dr Gregory's Review and Censorian Letter for an action of damages at the instance of such of the Members as are either expressly mentioned therein or alluded to. But as every question of the kind, which turns on the freedom of discussion among members of a society of any description, is of a very delicate nature, I most earnestly beg leave to recommend to the parties concerned, not to make them the subject of judicial discussion.

(Signed) “ HENRY ERSKINE.”

Dated, “ 66. *Prince's Street*, 2d April 1806.”



FOR particular reasons, I did not choose to ask Mr CLERK to be at the trouble of reading, on my account, Dr Gregory's Review and Censorian Letter. I therefore put into his hands the Memorial only, which had before been presented to Mr Erskine, and from him I received the following Answers.

Q. 1.—“I slightly read over, some time ago, the publications here mentioned; but I do not recollect enough of them to be able to give any precise opinion upon this Query. The statement in the Memorial is too short and general to be applied to the obligations referred to.

Q. 2.—“I do not think that a breach of the obligation which may be committed through folly, imprudence, or rashness, necessarily infers a forfeiture of the character of an honest man. The words, “As I desire to be holden and reputed an honest man and a good “Christian,” are merely *in terrorem*, and I cannot say that I much admire them as being well adapted to the case. As to the punishment of Dr Gregory, I am of opinion, that a corporation has in the common case no powers of expulsion; and unless the College has some special privilege of that sort, it cannot expel any of its Members on any ground whatever. I take it for granted, that the College has such powers in certain cases, or at least that in certain cases a forfeiture follows. I have no reason, however, to suppose, that a forfeiture must be the consequence of Dr Gregory's conduct. I do not know what powers the College has to fine, but I imagine it has none, unless it be to exact such small fines as may be special-

ly provided to enforce the regulations. Reprimand, I suppose, is in the power of the College.

*Q. 3.*—“ If Dr Gregory’s publications are libellous, he may be prevented from any further distribution of them, by an interdict; and the Gentlemen libelled will be well-founded in an action of damages against him.

(Signed) “ JOHN CLERK.”

Dated “ *Edinburgh, 8th August 1806.*”

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WHEN I delivered to Mr ERSKINE and to Mr CLERK the preceding Memorial and Queries, I put also into the hands of each of them the following

### MEMORIAL AND QUERY:

THE Royal College of Physicians of Edinburgh, was established by Royal Charter in the year 1681, and that Charter was ratified by Parliament in 1685. By the Charter, the Members of the College were laid under certain restrictions with regard to the practice of Surgery. They were laid under no restriction whatever with regard to the practice of Pharmacy. But in the year 1754, the College passed the following act :

“ The Royal College of Physicians in Edinburgh, taking into their serious consideration the trust reposed in them by their Charter of Election, to watch over the practice of Physic within the

City of Edinburgh and its liberties, and the full powers vested in them by the said Charter, ratified by act of Parliament, of making such acts and regulations as may contribute to promote the knowledge and practice of Medicine, and for the good government of the Fellows of the said College, and of all others practising Physic within the said City and its liberties : And also, considering that an innovation and abuse has been lately introduced into the manner of practising Physic within this City and its liberties, whereby some Physicians, licensed and authorised by the said Royal College to practise Physic, have also acted as Apothecaries, by keeping or setting up Apothecary's Shops, and thereby conjoining the professions of Medicine and Pharmacy in one and the same person : And the said Royal College, further considering that this innovation and abuse tends to hinder the advancement of the knowledge of Medicine, and may prove dangerous to the health of the inhabitants of this City, and of the liberties thereof, they, by these presents, enact and ordain, That from and after the 11th day of April 1754 years, no Member of the College, nor any Physician by them licensed and authorised to practise Physic within the said City and its liberties, shall take upon himself to use the employment of an Apothecary, or to have or keep an Apothecary's shop, by himself, his partners or his servants : And in case any such Physician shall do in the contrary, and shall thereof be lawfully convicted, he shall forfeit from thenceforth his right of Fellowship, and his right and title to practise Physic within the City of Edinburgh and its liberties.

“ And for preventing the like abuse in time coming, it is hereby enacted and ordained, That from and after the said 11th day of April 1754, all and every Physician, whether having received his degrees in Scotland, or in any Foreign University, applying to the said College for a licence to practise Physic in the City of Edin-



burgh and liberties thereof, shall previously enact and oblige himself not to set up an Apothecary's Shop, nor to practise Pharmacy, by himself, co-partners or servants; and with the condition, that if at any time thereafter he shall contravene, by taking up an Apothecary's Shop, and practising Pharmacy, by himself, his partners or servants, he shall, *ipso facto*, forfeit his licence aforesaid, and be liable to be prosecuted for such practice, without licence from the Royal College, in the same manner as he had never been licensed; and that such condition shall be engrossed in all licences to be granted after the said 11th day of April 1754 years.

“ And it is further enacted and ordained, That from and after the said 11th day of April 1754 years, the said Royal College, and their successors, shall not grant any licence to any Physician, whether graduated in Scotland or elsewhere, to practise Medicine within the said City or liberties, who, at the time of his application for such licence, practises Pharmacy in manner above mentioned, until such Physician give up the practice of Pharmacy, and become bound and enacted not to practise the same in any time thereafter, in manner aforesaid.

“ And the said Royal College ordain this act to be publicly read to every Physician, who shall, after the said 11th day of April 1754, apply to them for a licence to practise Physic within the said City of Edinburgh and its liberties.”

The late Dr John Gregory, who, on his admission into the College of Physicians, March 5. 1765, signed this enactment, did, in his Lectures during the year 1767, and some subsequent years, deliver the following opinion respecting the best mode of practising Medicine with most advantage to the sick, and to the community :

“ If Surgery was to be confined to a set of men who were to be merely operators, it might justly be expected, that the art would be

more quickly brought to perfection by such men, than by those who follow a more complicated business, and practise all the branches of Medicine. The same advantage would accrue to Pharmacy, if Apothecaries were to be confined to the mere business of preparing Medicines. But, in reality, this is not the case. In some parts of Europe, Surgeons act as Physicians in ordinary. In others, the Apothecaries do their duty, without a medical education. The consequence is, that, in many places, Physic is practised by low illiterate men, who are a disgrace to the profession.

“ In regard to Pharmacy, it were much to be wished, that those men who make it their business should have no connection with the practice of Physic ; or that the Physicians should dispense their own Medicines, and either not charge the expence of them to their patients at all, or charge it at prime-cost. It is only in one or other of these ways, that we can ever hope to see that simplicity of prescription take place in the practice of Medicine, which all who understand its real interests so ardently wish for ; and it is only from such an arrangement, that we can expect to see Physicians placed in that honourable independence which subjects them to no attentions, but such as tend to the advancement of their art. But it is a known fact, that in many parts of Europe, Physicians, who have the best parts, and the best education, must frequently depend for their success upon Apothecaries, who have no pretensions either to the one or the other ; and that the obligation to Apothecaries is too often repaid by what every one concerned for the honour of Medicine must reflect on with indignation.”

The Opinion of Counsel is asked on the following Question :

If any Member of the College of Physicians were to furnish medicines to his own patients, either from a medicine-chest kept by

himself, or from the shop of an Apothecary, in whose integrity he had confidence, would he or would he not be guilty of a transgression of the above Act of the College, although he made no charge for these medicines, but was paid only for his advice and attendance?

OPINION of Mr ERSKINE.

“ I am of opinion, that were a Member of the College of Physicians to furnish medicines to his patients, in the manner mentioned in this Query, he would not be guilty of a transgression of the Act of the College, unless it could be made appear, that, under cover of advice and attendance, he received a consideration for the medicines furnished, or for the medicines purchased by him from an Apothecary.

(Signed) “ HENRY ERSKINE.”

Dated, “ NO. 66. *Prince's Street*,  
2d April 1806.

OPINION of Mr CLERK.

“ I think that the Act would be violated by the practice here mentioned. A Physician's fee is an honorary, and may be less or more, according to the liberality or means of the patient; from which it seems to follow, that if he gives advice, attendance and medicines, and receives money from his patient, it must be held, that not the whole, but something less than the whole, is the honorary; and the whole being paid for his services without distinction, some part of it is for the medicines. It is not conceivable, that the patient should not recompense him for his medicines in one way or



another; and I am not aware of any case in which they could be said to have been given for nothing, unless it were where the Physician takes no fees at all, even for attendance. To evade the act against theatrical entertainments, the players used to advertise music for so much, and the play *gratis*. But it was well understood that the money was given for the play, without much regard to the orchestra; and now nothing theatrical can be exhibited in places where liquors are sold; as in paying for such liquors, the audience is understood to pay for the exhibition. Though I highly respect the honourable profession of Physic, yet I cannot shut my eyes to the exact similarity of the two cases. The Physician who professes to give medicines *gratis* to those who employ him, is paid by his fees both for his attendance and his medicines.

(Signed) "JOHN CLERK."

Dated, "*Edinburgh, 8th August 1806.*"

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ON the above Opinions, I shall offer no remarks whatever. But I hope I shall be excused if I call the attention of my Fellow Members and Readers to a very remarkable passage with which Dr Gregory concludes his sarcastical edition of the last Opinion. That passage seems to me to apply much more strongly to his own Father than to any one of the present Members of the College. The passage is expressed in such forcible language, that I think it deserves to be printed in capitals; and I shall subjoin a few words of my own in Italics.

"TO THAT MISERABLE—THAT INFAMOUS STATE OF DEGRADATION HAS THIS ROYAL COLLEGE AND THE PROFESSION OF PHYSIC

IN THE CITY OF EDINBURGH BEEN REDUCED BY THE MISCONDUCT OF SOME OF OUR MEMBERS ;"—or rather of one *Member*, who has dared to ask the *Opinion of Counsel* learned in the law, Whether such of our number as might choose to furnish medicines to their own patients, would be prohibited, by the act 1754, from practising Pharmacy, as well as *Physic*, to that extent which was so strongly recommended by the late *Dr John Gregory*, as one of the most effectual methods of " placing Physicians in that honourable independence which subjects them " to no attentions but such as tend to the improvement of their art."

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*EXTRACT from Dr GREGORY's Defence. Vide Documents, Part 2d, Page 25.*

AFTERWARDS I heard, but very inaccurately, that some of my brethren had been consulting lawyers, nay, several different lawyers, about the best means of accomplishing that favourite purpose, and also of punishing me, and expelling me from this College, as having forfeited the character of an honest man, by divulging their secrets. I could not learn the names of *all* the lawyers whom they consulted, but I was assured that the Lord-Advocate, (The Hon. Henry Erskine), and the Solicitor-General, (John Clerk, Esq;), were two of them. At first, I understood, that those lawyers had been consulted together, with a view to obtain their *joint opinion* and *counsel* on the weighty matter submitted to their consideration ; but afterwards I was told, that they had been consulted *separately*, and in succession ; the opinions of some of them having been very unsatisfactory to those who consulted them.

I could not learn how many queries, and what kind of queries, had been proposed to the lawyers; but I heard of the *three* relating to myself, which Dr Duncan *senior* has thought proper to print and distribute *privately* \*. I also heard of some other queries proposed to the lawyers; which queries, as well as the *answers* of the lawyers to *all the queries* proposed to them, Dr Duncan senior at that time very wisely suppressed.

I am truly sorry, that it is not in my power to *supply, fully*, the *hiatus*, with respect either to the *queries proposed*, or the *answers returned*; but, as far as I can, I will do it. I heard, in general, that the answers of *some* of the *Lawyers* amounted to a *reprimand*, or *admonition* to my brethren, on the impropriety of their conduct, almost as severe as what I had given them in my Censorian Letter. I was assured, that, in answer to their Queries about the expediency of their taking the law into their own hands, and punishing me by fine, reprimand, or expulsion, for having published a false and scandalous libel upon them, they were told, very dryly, by *one or more* of their own lawyers, that IF I had *libelled* any of them, the *persons libelled* would have a good action against me; a most important and oracular truth, which I shall never dispute, and which the coachmen and chambermaids of those great lawyers could have told them as well as the lawyers themselves.

None of my brethren can fail to perceive the *import* and the *severity* of the hypothetical monosyllable IF; which converts into a bitter sarcasm on them, and a strong condemnation of their proceedings, a proposition so nearly self-evident, that, in point of law and common sense, it cannot admit of any reasonable dispute; and

\* I distributed my Printed Papers only to the Members of the College of Physicians, who were on the roll of attendance. Dr Gregory's were distributed in a very different manner.—A. D.



that the formally declaring of it as a legal opinion, and as an answer to a question, which had *not* been put, has the appearance of childish simplicity. The question proposed to the learned and witty counsel was *not*, whether persons libelled would have a good action against the person who had libelled them; but whether this College, by its own power and authority, might punish me for publishing my Review, and my Censorian Letter.

The *doubt* \* expressed so emphatically by that unlucky monosyllable *IF*, *could not* relate to my having published those pretended libels; nor yet to the severity of my animadversions on the conduct of some of my brethren: for these things were notorious, and openly avowed by myself; and I had declared myself ready to answer for them, and to vindicate my conduct in a court of justice.

The doubt, therefore, expressed by the witty counsel, learned in the law, *must* have related to *something else*, and to *something* which their clients *could not fail to understand at once*, without the help of any elaborate explanation or commentary. The doubt of the learned counsel could be only about the *truth* or *falsehood* of what I had asserted, which their clients could not fail to know.

As one *IF* is as good as another, it would have been just as easy for the Lawyers to have said explicitly, † “ If what Dr G. has said of you be *false*, you will have a good action against him: you will easily prove him a liar and a knave, and make him infamous in a

\* To any impartial reader, who peruses Mr Clerk's opinion, it must be obvious, that the doubt which he expressed by the monosyllable *IF* was the consequence, of his not having a distinct recollection of Dr Gregory's Censorian Letter, which I did not put into his hands, although I had put it into the hands of Mr Erskine.—A. D.

† This is the ingenious romance, which Dr Gregory has written for my Lawyers, and to which I have formerly alluded.—A. D.

court of justice ; especially as all those passages, which he professes to give as faithful quotations from your Records, and from the Report of your Committee, must be forgeries ; and as soon as you shall have fairly convicted him of such *falsehood*, and *knavery*, and *forgery*, you will be well entitled to obtain *swinging damages* from him, and to *expel* him from your College, as a *pest* and a *disgrace* to it."

But such an explicit IF, though very easy, and abundantly effectual for all the good purposes intended, would have been very uncivil ; forasmuch as it would have conveyed too strongly, by irresistible implication, some other IF's of a most unpleasant and embarrassing kind ; such as,—“ IF what Dr G. has said of you be *true*, *you are in a very bad scrape* ; and the sooner you get out of it, and, in the mean time, the quieter you keep, the better it will be for you.” “ IF you attempt to *expel* him from your College, as having *forfeited the character of an honest man, by divulging your secrets*, you must consider his plea ; that your *obligation of secrecy does not extend* to things *morally wrong* and *dishonourable done deliberately* ; you must [be prepared to *join issue* with him on that point, which will be thought a *strong thing* with the *common sense* and *common honesty* of mankind *staring you in the face* ;—perhaps you will not succeed in it ;—and IF you shall succeed in it, perhaps it will be little to the *advantage*, and still less to the *honour*, of your College, as it will be equivalent to proclaiming to the world, that you wish to have the power of doing things morally wrong and dishonourable, and obliging your brethren, who disapprove of them, to keep them secret ; nay, that you have actually been attempting some such things, and are very angry with Dr G. for having divulged them. But, at any rate, beware how you take the law into your own hands, and act as judges in your own cause. There can be no doubt what *your decision* will

be ; but that will not save you the *trouble*, and *expence*, and *vexation*, and *disgrace* of a *law-suit* ; for you may be sure that Dr G. will immediately bring you and your proceedings under the revision of the *Court of Session*. If you wish to proceed effectually against Dr G. and *expel* him from your College, be sure, in the first place, that you have the law on your side. If you wish to prosecute him for a libel on you, consider what *his plea* may be, and on what points of *law* or *fact* it may be advisable for you to *rest your cause*, and *join issue* with him. He will probably invite you to say, whether you dispute those general principles of what is honourable and right in human conduct, which principles he has asserted so explicitly and strongly ; or, whether you dispute the truth of what he has asserted so precisely with respect to your own conduct, with exact references to your own record \*, and the report of your Committee, in proof of what he asserts. If *you will not choose one or other of those pleas*, he will, of course, consider both of them. It will not be advisable for you to try the former and more general plea : for to dispute those general principles, which Dr G. has asserted, would be equivalent to a formal renunciation of all pretensions to probity, veracity, and to the use of reason. If you choose to dispute the *truth* of those *particulars*, which Dr G. has *asserted as matters of fact*, with respect to your own conduct, you may have an excellent action against him, for such a scandalous libel, as his Censorian Letter, and his Review of your Proceedings from 1754 to 1804. *He can have no excuse for telling such infamous lies of his own brethren* ; and there can be no mistake, either on his part, or on yours. Either he, or you, must stand convicted of deliberate falsehood, and determined knavery.

\* It will not surely be contended, even by Dr Gregory himself, that either in the Records, or in the Report of the Committee, there is the most distant shadow of proof, that Dr Spens appointed a packed Committee.—A. D.



IF you are *sure* that what *he has* said of *you is false*, prosecute him, without mercy, for a libel. We will undertake your cause, and carry you through triumphantly; but IF you are *not* sure that what he has said of you is false, do not meddle with him: for, IF you do, you will certainly catch a Tartar. In short, IF you wish to be judges in your own cause, we shall allow you to be so in this first stage of it; in which, if your judgment shall be erroneous, we can easily rectify it; but, as all the facts, and all the principles, according to which you ought to judge, are well known to yourselves, we have no doubt that you will judge wisely and honestly\*."

All this, and much more of the same kind of *good, sound, legal advice*, as Dr Duncan *senior*, emphatically called it, I firmly believe to have been *intended* by the *learned* and *witty counsel*, to have been *understood* by their *clients*, and to be *bonâ fide implied* in, and *logically deducible from*, the monosyllable IF, so dexterously introduced into the *opinion*, given in *answer* to Dr Duncan's *Queries*, about the best mode of proceeding against me. I am sure the Author of it must have been very proud of his apophthegm, which, in its laconic brevity, contains a whole bushel of pure Attic salt, more pungent than the strongest spirit of hartshorn, and almost as agreeable to his clients.

The answer of the learned and witty counsel to another of the *Queries* proposed by Dr Duncan *senior*, I have been assured, was almost as strongly seasoned with a new hyperoxygenated salt, till then unknown to any Member of this College. The Query, as I understand, was, *in substance*, and *almost in words*, the same that Dr Duncan *senior*, hath printed in his circular letter, (December 1805,) but which he hath very dexterously *suppressed* in his last printed paper, wherein he *publishes, privately, three* of the *Queries* proposed

\* The reader has here an ample specimen of the groundless assertions, which a wild imagination may deduce from the emphatic particle IF.—A. D.

by him to his Counsel,—something about “ whether any of our number would transgress the act 1754, by furnishing medicines to his own patients, without making any charge for them ?”

I have been told, that the answer was very unfavourable ;—something to this purpose, that “ if they chose to practise *gratis*, without being paid at all, either for their advice, or for their medicines, they might do so ; but that, if they were to be paid for their advice and attendance, their furnishing medicines to their own patients, without making any charge for them, would be regarded, in a court of justice, as a *violation* or *evasion* of their own act of 1754 ; that it would be understood in law, that *something more* was given them by their patients, than would have been given merely for their advice and attendance ; that *something less* than what they received would have been given them, if they had *not furnished medicines* to their patients ; that the difference between *that more* and *less*, in their payment, would be understood to be *the price which they received for their medicines* ; and that the attempt would be reprobated as mere chicane, just of the same kind with the *stale tricks* of *strolling players*, who profess to *sell ale*, and *to be paid only for it*, while they *treat their good customers* with a *stage-play*, *gratis* ; or who advertise, at a certain price, a *concert of music*, between the *acts of which* will be presented, *gratis*, a *tragedy*, or a *comedy*.”

To *that miserable, that infamous*, state of degradation has *this Royal College*, and *the profession of a physician* in the city of *Edinburgh*, been reduced by the *misconduct* of some of our members.

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*EXTRACT from Dr GREGORY's Defence, P. 98.*

As Dr Duncan *senior*, professes not to believe or to feel that this opinion of Mr Clerk amounts to an admonition or reprimand, which

*I bonâ fide* think it, nay, a very severe reprimand, and says he does not suppose that any honest man of common sense will agree with me in my opinion, I shall not attempt to convert him to it. He has before him the very words of his own lawyer, one of the ablest that ever this country produced. His words amply testify his acute reasoning, his keen wit, his strong, clear, common sense; and his thorough contempt for the chicane and trick which he was expected to sanction. Though he highly respected the honourable profession of Physic, he could not shut his eyes to the exact similarity of the two cases,—Dr Duncan's proposal\*, that Physicians should furnish Medicines to their Patients, without making any charge for them, and the stale tricks of strolling players, to evade the law against theatrical entertainments. If Dr Duncan will not believe this, neither will he believe though five hundred of his own patients should rise from the dead.

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*Copy of a LETTER, sent by Dr DUNCAN to Mr ERSKINE,  
and also to Mr CLERK.*

DEAR SIR,

*Adam's Square, 25th August 1808.*

ABOUT two years ago, you favoured me with signed opinions, in answer to some Queries respecting the business of the College of Physicians.

\* *The proposal was not mine. Every candid reader must see from the Memorial, that it was a proposal made by Dr Gregory's own Father. What must they think of a Son, who could thus vilify the memory of a venerable Parent ?—A. D.*



Dr Gregory has introduced some observations on these opinions, into a Defence which he has presented to the College, on certain charges brought against him by Dr Hope.

Dr Gregory in that Defence has affirmed, that the opinions of my Lawyers were in reality a severe reprimand, and bitter sarcasm on me.

Permit me to request the favour, that you will inform me, in writing, whether the account which he has given of your opinion be just or not; and whether your words warrant Dr Gregory to say, "that they demonstrate your thorough contempt of the chicane and trick which you was expected to sanction."

To enable you to judge how far he has given a fair representation of your opinion, I send you, with this letter, a copy of my two Memorials; of your Answers to the Queries subjoined to these Memorials; and also a copy of Dr Gregory's remarks upon your Answers.

I have the honour to be, your most obedient servant,

(Signed)      ANDREW DUNCAN.

*Copy of a LETTER from Mr ERSKINE to Dr DUNCAN.*

MY DEAR SIR,

*Ammondell Lodge, August 29. 1808.*

I HAVE endeavoured, in vain, to discover from Dr Gregory's observations, on what he grounds the supposition, that it was my intention to convey any reprimand or sarcasm, in the opinions I gave on the two Memorials laid before me by you.

Had any thing in the case required from me any animadversion disapprobatory of your conduct, you know me too well to doubt

that I should have expressed it with that freedom which became my professional character, as well as my private regard for you.

I answered the Queries submitted for my opinion, to the best of my judgment, and in the clearest and most direct terms. No observations, therefore, founded on the supposition of the opinions being hypothetical, can at all apply to mine. And nothing could be farther from my mind, than to express or imply either réprimand or sarcasm.

I remain, with the greatest regard, my Dear Sir, yours faithfully,

(Signed) HENRY ERSKINE.

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*Copy of a LETTER from Mr CLERK to Dr DUNCAN.*

DEAR SIR,

*Edinburgh, 5th September 1808.*

I AM sorry to find, that the professional opinion which I gave you two years ago, upon the legal construction of an act of the College of Physicians, should have been misconstrued.

You will observe, that my opinion was not asked upon the expediency of altering the act 1754; and if it had, I should have declined giving any opinion upon that important question, as it is not a question of law.

But I understood, that it was or had been a question, among the Gentlemen of the College, whether it would be proper to alter or modify the practice, as it had been followed under the act; and that the object of the Memorial, in relation to it, was to be advised, whether an alteration of the practice might legally be introduced, without altering the act itself. In this, I did not suppose that there

was any intention of resorting to chicane. Although, as I thought the variation of the practice, suggested in your Memorial, was not permitted by the law as it stood, it was my duty to give you that opinion.

It seems to me a great mistake to suppose, that the words of my opinion contain a reprimand or sarcasm on you.

You consulted me upon a difficulty in law, and, if it be said, that my opinion is strongly or decidedly expressed, I hope a Lawyer may give his opinion in a strong or decided manner, without being thought to reprimand his Client, or to answer him with sarcasms, and to demonstrate a thorough contempt of him.

It may be inferred, from my opinion, that I should have disapproved of practising Pharmacy in the way proposed, without directly repealing the act of the College 1754. But I do not see how that opinion can be construed into reprimands or sarcasms, or contempt of you.

So far as I recollect, you did not state to me your own sentiments, or particular views in the business, but left me to form my opinion upon the facts contained in the Memorial. Under these circumstances, I had no right to suppose, nor did I in fact suppose, that you intended or approved of any chicane, trick, or disingenuous proceeding; and, so far as I can recollect my own intention in writing the opinions referred to in your Letter, it went no farther than to express my poor judgment upon the different points stated in the Queries, without stepping out of my way, either to praise you or censure you. I am, Dear Sir, your most obedient servant,

(Signed) JOHN CLERK.



*DECISION of the COLLEGE of PHYSICIANS, on the 13th  
of September 1808.*

THE College met at one o'clock afternoon, and almost every Member present delivered his opinion at considerable length. Some Members spoke at great length repeatedly. About midnight a vote was put, *Approve of the Resolutions proposed, or Not.* It carried Approve, by seven to three. One Member having some doubts, with regard to the propriety and legality of the mode of procedure, declined to vote.

The sentence of the College, therefore, found, That Dr JAMES GREGORY had been guilty of a wilful and deliberate Violation of Truth.



Copy of MINUTE of an Extraordinary Meeting of  
the ROYAL COLLEGE of PHYSICIANS, held upon the  
13th of September 1808.

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P R E S E N T.

Dr STUART, President, Dr THOMAS SPENS, Dr DUNCAN, Dr WRIGHT,  
Dr JAMES HOME, Dr YULE, Dr HAMILTON *junior*, Dr HOPE, Dr DUN-  
CAN *junior*, Dr BROWN and Dr BARCLAY.

*Roll called.—Absents fined.—Minutes read.*

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THE President stated, that the Council transmitted the Resolutions moved by Dr Hope, and Dr Gregory's Defence, simpliciter, to be decided by the College. But whatever the judgment on these might be, they could not avoid recommending, that the College should express their disapprobation of the manner in which Dr Gregory had endeavoured to obscure the question, by involving it in an immense mass of irrelevant matter, containing misrepresentations of various facts and circumstances well known to the members individually, unfounded insinuations and calumnies, and coarse and grossly indecent language, unknown in the intercourse of polished society.

Dr Hope was then heard at length in support of the resolutions moved by him, when he read and lodged with the Clerk, an amendment, which it became necessary to make upon these Resolutions, in consequence of Dr Wright having departed from the declaration signed by him.

. H



Follows Copy of the Resolutions moved by Dr Hope, as read  
5th December 1807.

‘ Dr Hope moved, that the Royal College of Physicians should declare and resolve as follows :

1st, That at a Quarterly Meeting of the College, on the 5th of February 1805, when every Member on the roll, except Dr Gregory, was present, the following Resolutions, transmitted from the Council, were passed.

‘ The College taking into consideration the concern which the President has had in the late revisal of the Laws, and the great trouble and attention he has bestowed on it, are of opinion, however different the sentiments of the different members may be on that subject, that he has acted from the purest motives and in the most honourable manner, and that he well deserves the thanks of the College, which they request the Vice President to give him ; and they appoint this Resolution to be engrossed in the Minutes.

‘ The Clerk having then called the roll, the whole members approved of the motion of the Council, with the exception of one member, who objected merely to the form of the motion, but who agreed with all the other members, that the President had acted in an honourable manner.

‘ Thereafter a motion respecting the Committee for revising the laws, the same with the preceding, *mutatis mutandis*, was read, put to the vote, and carried in the same manner.’ And the same were regularly sanctioned, when the minutes were read at the subsequent meeting of the College in May.

2d, That Dr Gregory, in a letter addressed to the President, dated November 2. 1807, referring to a meeting of the College in August 1806, from which he had been absent, uses the following words : ‘ I absented myself from that meeting purposely ; and went about my ordinary business at the time of it, *because I confidently expected that some very strong measure, with respect to me, was to be proposed in the College*: and I thought it more delicate, towards my brethren, to leave them at full liberty to express, without reserve, their sentiments, and take their resolution with respect to me, than to lay them under any restraint by being present at their meeting ; and also more prudent, with respect to myself, to avoid, than to engage in, an unavailing debate, or perhaps an angry and disgraceful altercation.

‘ On that occasion, I acted exactly in the same manner, and from the

‘ *same liberal and honourable motives, that I had acted from, on a similar occasion, at the quarterly meeting of the College in February 1805.*’

3d, That Dr Gregory, in the same letter, uses the following language, in regard to his ignorance of their proceedings on the said 5th February 1805.

‘ From this detail of the nature, and tendency, and purpose, of my reasons of dissent, you may easily perceive that they involve some plain considerations of reason, or rather of common sense, about which I can hardly conceive that my brethren and I should differ, even for a quarter of an hour. They are at least totally different from, and independent of, those principles of moral conduct about which we differ totally, and, I much fear, irreconcilably. This strange difference of opinion, with respect to the principles of moral conduct, I discovered *only about a year ago*, and *that*, as you know by mere accident; for though it had been strongly expressed, by my brethren, in an unanimous resolution, in my absence, at their meeting in February 1805, and had even been recorded in our minute-book, nay had been printed and distributed very freely, for a year and a half, it somehow happened that I had not *the least intimation of it*, till our meeting in November last. From this I infer that neither the Royal College at large, nor any individual member of it, not even yourself, who, if I am rightly informed, first proposed that declaration of your moral sentiments, wished me to know it, or to make it a subject of discussion: for if you had wished this, you would certainly have informed me of it without delay.

‘ *The first intimation* that I had of it was, by Dr Duncan senior declaring, vehemently, after hearing me read my queries, that the College must assert its own dignity; that it had shown too great lenity to great offenders (or offences), that my printed paper was a scandalous libel, and that the College had already decided that point. This he repeated; and on my telling him, repeatedly, that I did not understand him, *or know to what he alluded*, he turned up the minute-book, and shewed me the record of the proceedings of the College in February 1805. As that discovery of it was evidently accidental, and as the proceeding of the Royal College was most deliberate, I judge that it was not intended, by my brethren, that I should ever know of our great difference about morals; which I must own was the most likely way to prevent any disputing about them. I judge also that their deliberate proceeding, on that occasion, was strictly consonant with their principles of moral conduct: But I must take the liberty to say, that it was altogether repugnant to mine; which,



‘ as my brethren well knew, were explicitly stated in my Cenforian Letter.

‘ As their sentiments of moral right and wrong were so different from mine that they all thought those proceedings most honourable, which I thought just the contrary ; they must have thought mine completely erroneous, and probably dangerous, or pernicious, in their consequences. They could not surely distrust my sincerity in the sentiments which I professed, and the assertions, with respect to many plain matters of fact, which I had stated. But if they had thought so unfavourably and unjustly of me, they ought to have proceeded against me as a criminal ; and no doubt they would have done so, for their own sakes individually, as well as for the honour and interest of the Royal College.

‘ If they believed me sincere in what I had professed, but miserably mistaken in my notions, and principles, of moral conduct, it would have been rational, and highly proper, nay it would have been a humane and Christian duty, on their part, to have endeavoured to instruct me, and set me right, or at least to have admonished me of the nature and danger of my errors ; provided always, and supposing, that they thought me not absolutely insane, but capable of being reasoned with.

‘ But if they thought me absolutely insane, incapable of instruction, and unfit to be reasoned with, and were themselves sincere in those sentiments, so different from mine, which they professed, then, certainly, they ought to have taken measures to get me confined, and treated, as a lunatic.

‘ If now, on hearing my reasons of protest, they shall differ from me with respect to the principles of reasoning and common sense, as much as, on reading my Cenforian Letter, they did with respect to morals, they cannot hesitate what to do with me.

‘ You know, Sir, that more than three months ago Dr Duncan senior distributed among us a printed paper, purporting to be a Memorial and Queries submitted by him to counsel, including a query about the expelling of me from this College for having divulged their secrets ; and containing in his own hand writing a very strong hint or intimation that probably he would make a motion to that purpose. He is heartily welcome to try the experiment whenever he pleases.

‘ *But he is not welcome to say, or to insinuate, as he has done in that printed paper, that I knew of the College having passed that resolution, or declaration, of February 1805, virtually deciding, (as he*



*calls it) that my Cenforian Letter was a false and scandalous libel; implying that I had shrunk from any inquiry into my conduct in that business, that I had not chosen, or had not dared, to vindicate what I had done; but had in a manner pleaded guilty, by allowing judgment to go against me, by default, in my absence: for the direct contrary of all these insinuations and implications is the truth.*

‘It is possible however that Dr Duncan senior may not be to blame; but only *bona fide* mistaken, when he said it could not be doubted that I knew of that proceeding.’

‘As to the fact, I must repeat my solemn declaration, and oath before God, that I neither knew nor suspected any thing of it, nay, that I could not even have thought it possible, till the moment when Dr Duncan senior told me of it, and shewed me the record of it in our minute book last November, just one year and nine months after the resolution had been passed. But measures, which I never heard of, yet well known to Dr Duncan, may have been taken to inform me of it, even from the first; and these measures may have been frustrated by circumstances, of which I have no knowledge or suspicion. His words seem to imply some such meaning: and the fact ought to be ascertained for his vindication and credit. If the College, as a body, expressed any wish, or gave any order, to inform me of it; if any individual member of our College expressed such a wish, or undertook to give me such intimation; if any individual of our College, or not of it, says he gave me such intimation, or says he ever heard me express any knowledge or suspicion of such a proceeding, before it was announced to me by Dr D. in that strange manner, of which you were a witness, at our meeting in November last, I wish it to be declared explicitly, and publicly: for, in case of need, I have a very different tale to tell, and to establish, as far as a negative proposition can be established, by very competent evidence.’

4th, That on the 24th November 1807, the College met for the purpose of considering that letter from Dr Gregory, and when Dr Hope, in the course of delivering his opinion respecting that letter, and respecting various parts also of Dr Gregory’s conduct towards the College, himself, and other members, did strongly represent the improbability of the ignorance, which Dr Gregory professed, of the proceeding of the College in February 1805; and the little reason the College, or its members, had to believe, that he could have continued ignorant of it, or could have entertained no suspicion of it, for one year and nine months; and added, that in spite of all such improba-

bility, he did, in consequence of Dr Gregory's solemn declaration and oath before God, express his belief, that Dr Gregory was really ignorant of that proceeding; Dr Gregory did, in spite of that solemn oath, having been much pressed upon the subject, acknowledge and confess, that he had received information from two of the members, that the College had, on the said 5th February, come to a resolution, returning their thanks to the President and Committee for their trouble in revising the laws, and declaring that they had acted from the purest motives; but denied his being informed that the College had expressed their opinion, that the Committee had acted in an honourable manner; and that Dr Gregory did publicly repeat this acknowledgment more than once, at the desire of some members of the College, and did afterwards acquiesce in it, when repeated as above by Dr Hope in the same meeting; and did express his intention to send the same in writing to Dr Hope the next day, which he did not do, and has not since done.

5th, That Dr James Hamilton senior, one of the Fellows, has declared, that on the morning of the 5th February 1805, he had informed Dr Gregory, that a vote in support, or in favour of the Committee for revising the laws, was to be moved in the College that day, and that he meant to support it; and that Dr Wright, another of the Fellows, has declared, that he had informed Dr Gregory of the said resolutions, and that the College had completely acquitted the Committee, and had declared that they had acted quite honourably.

6th, That the College taking into consideration the foregoing statement by Dr Gregory, of the reason of his absence from the meeting of 5th February 1805; the solemn declaration and oath before God of his ignorance of *that proceeding*, and of his having no suspicion of it; the subsequent acknowledgment or confession of Dr Gregory, so inconsistent with that declaration; and the testimony of Dr Hamilton, and of Dr Wright, contradictory both of that oath and declaration, and of the avowal which Dr Gregory made on the said 24th November.—Do, in respect that these statements were deliberately made within their own walls, or in writings addressed officially to their President, and in the course of discussion relating to the private business of the College, feel themselves called upon to declare, that they consider such violation of truth, on the part of Dr Gregory, to be highly immoral, and deserving the reprobation of the College; and they do accordingly express their reprobation of the same, along with their regret and mortification, that any one of their body should have acted so as to call forth an animadversion and censure of this nature.



Follows Copy of the Resolutions moved by Dr Hope, with amendment, as lodged with the Clerk this day.

The same as the preceding, the length of the 5th resolution.

5th, That Dr James Hamilton senior, one of the Fellows, has declared, that on the morning of the 5th February 1805, he had informed Dr Gregory, that a vote in support, or in favour of the Committee for revising the laws, was to be moved that day in the College, and that he meant to support it.

6th, That Dr Wright, another of the Fellows, declared to Dr Stuart the President, Dr Spens and Dr Hope, on the 1st of December 1807, that he had told Dr Gregory, that the College had, on the 5th of February 1805, completely acquitted the Committee, and had declared that they had acted quite honourably. That Dr Wright, on the 3d of December, in presence of Dr Spens, and Dr Hope, did subscribe and certify as correct, a copy of the said declaration, which is now lodged with the clerk\*. That Dr Wright, on the 19th December last, declared to the College, that after he had signed the above statement on the 3d December, he had found notes of the communication he had made to Dr Gregory on the 4th and 5th of February 1805, from which he discovered; that he had informed Dr Gregory, that the College had voted their thanks to the Committee for their trouble in revising the laws, and had declared their conviction that they had acted from the purest motives, but that he had not informed Dr Gregory of any thing more.

That Dr Wright, when questioned by the President, at the meeting of the College on the 19th December last, declared, that the said notes were not legible by any person but himself; refused to produce them; and declined engaging to preserve them in existence.

7th, That the College, taking into consideration the foregoing statement of Dr Gregory, of the reason of his absence from the meeting of the 5th of February 1805; the solemn declaration and oath before God of his ignorance of 'that proceeding,' and of his having no suspicion of it; the subsequent acknowledgment or confession of Dr Gregory, so inconsistent with that declaration and oath; and the tes-

\* *The statement and declaration are in the following terms:*

' On the 1st of December 1807, Drs Stuart, Thomas Spens, and Hope, waited upon Dr Wright at his own house.

' Dr Stuart asked Dr Wright, if he had not informed Dr Gregory of the Resolutions of the College of the 5th of February 1805.

' Dr Wright replied, that he had, and that he had told Dr Gregory, that the College had completely acquitted the Committee, and had declared that they had acted quite honourably.'

' *I declare that the above statement is, to the best of my recollection, correct.*

(Signed) ' WILLM. WRIGHT.'

' Dec. 3. 1807.



timony of Dr Hamilton, and the different statements of Dr Wright, all perfectly contradictory of that solemn declaration and oath, Do, in respect that these statements by Dr Gregory were deliberately made within their own walls, or in writings addressed officially to their President, and in the course of discussion relating to the private business of the College, feel themselves called upon to declare, that they consider such violation of truth, on the part of Dr Gregory, to be highly immoral, and deserving the reprobation of the College; and they do accordingly express their reprobation of the same, along with their regret and mortification, that any one of their body should have acted so as to call forth an animadversion and censure of this nature.

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The College then deliberated maturely upon these resolutions, each member delivering his opinion in the order of seniority, and in general at considerable length.

Dr Barclay, though he held many of the arguments in the defence as unsatisfactory and futile, did not however think it competent to enter into the question whether the charges were proved or not.

All the other members, with the exception of Drs Wright, Yule, and Brown, who regarded the charges as wholly unfounded, concurred in the sentiments expressed in the resolutions, and in the opinion, that the defence presented by Dr Gregory, was altogether unsatisfactory.

Dr Hope was again heard in reply. The vote was then put, 'Adopt the resolutions moved by Dr Hope, or not?' when it was carried, seven to three, Adopt; Dr Barclay declining to vote, having some doubts respecting the propriety of taking the resolutions into consideration, and of the right of the College to decide upon them.

Dr Wright, Dr Yule, and Dr Brown, protested in the Clerk's hands against the adoption of the resolutions, and desired it to be marked in the minutes.

Dr Hope then stated, that as the College had resolved to pass a vote of censure upon Dr James Gregory, on account of a deliberate violation of truth, in a solemn declaration and oath before God, committed within their walls, and in the course of the business of the College, it appeared to him highly right and proper, that the College should insert in their records a statement of the grounds upon which they founded their decision; in order that their successors in the College may see, that they have not passed a vote, of so serious a nature, respecting one of their members, without having the most clear, certain, and complete evidence of the delinquency.

The College approved of this measure, and thereupon Dr Hope submitted to them a draught of such a deliverance, as he thought, the College should insert in their records.

This draught was approved of by the College, and was lodged with the Clerk. The same has since then been carefully revised by the President and Council, and the tenor of it is as follows :

“ The College have considered very maturely the subject of the resolutions, as moved by Dr Hope on the 5th of December 1807, and as altered, in consequence of Dr Wright having given a different testimony to the College on the 19th, from what he had given to the President, Dr Spens, and Dr Hope, on the 1st, and signed on the 3d, all of the same month.

The College have also considered attentively the printed defence of Dr Gregory, and have maturely deliberated upon the whole of this serious and momentous business.

It appears to the College,

1<sup>st</sup>, That Dr Gregory, in his letter addressed to the President on the 2d of November 1807, as quoted in the 3d resolution moved by Dr Hope, does, in the most general, broad and comprehensive terms aver, that he knew nothing of the resolution or declaration of the College of the 5th February 1805, implying, as Dr Gregory alleges in various parts of it, a difference of opinion between the College and himself, respecting the principles of moral conduct, moral sentiments, morals, sentiments of moral right and wrong, until the record of it was shewn to him in November 1806, one year and nine months after it was passed.

2<sup>dly</sup>, That Dr Gregory has in the said letter, asserted, in a solemn declaration and oath before God, that he had no knowledge or suspicion of what Dr Duncan senior, in a printed paper distributed to the members of the College in May 1807, has represented as a virtual decision of the College against him, Dr Gregory; which virtual decision Dr Duncan describes, as consisting in an unanimous resolution of the College, on the 5th of February 1805, declaring, that the President and Committee had acted from the purest motives, and in the most honourable manner; nay, that he, Dr Gregory, could not even have thought it possible, till the record of it was shewn him, a year and nine months after the resolution had been passed.

But it appears to the College,

3<sup>dly</sup>, That Dr Gregory has, in his letter already referred to, and as quoted in the 2d resolution moved by Dr Hope, stated as a rea-



son for purposely absenting himself from the meeting of the 5th of February 1805, that he confidently expected some very strong measure with respect to himself was to be proposed in the College, and that he thought it more delicate towards his brethren, to leave them at full liberty to express their sentiments, and to take their resolution with respect to him, than to lay them under any restraint by being present, and also more prudent with regard to himself, to avoid than to engage in an unavailing debate, or perhaps an angry and disgraceful altercation.

4thly, That Dr James Hamilton senior had, previously to the said meeting of the 5th of February, informed Dr Gregory, that a vote was that day to be proposed in the College, in favour or in support of the Committee for revising the laws, and that he, Dr Hamilton, meant to support it.

5thly, That Dr Gregory did on the 24th of November 1807, as stated in the 4th resolution moved by Dr Hope, acknowledge and admit, that he had received information from two of the members, that the College had, on the said 5th of February, come to a resolution, returning their thanks to the President and Committee for their trouble in revising the laws, and declaring that they had acted from the purest motives; which admission has since been corroborated by the testimony of Dr Wright.

6thly, That the grounds on which Dr Gregory has, in his defence, attempted to confine his denial of knowledge to one part of the said resolution of the 5th of February, and to reconcile the inconsistency between his declaration upon oath, and the matter of fact in regard to the information which he had received, are altogether unsatisfactory.

In his defence, he maintains, that his denial could rationally be applied only to such part of the said resolution of 5th February 1805, as implied a difference of opinion between him and the College, respecting the principles of moral conduct, or imported a contradiction of what he had asserted in his printed papers; that the only part of the said resolution which implied such difference or contradiction, was that clause, declaring that the President and Committee had acted in the most honourable manner; and that the clause relative to their motives, did not imply any such difference or contradiction, as he had never disputed the motives of the Committee being good, but if present at the meeting, should have most cheerfully concurred in the declaration, that the Committee had acted from the purest or best motives, adding, that this was, *bona fide*, his opinion.



But the College must observe, that Dr Gregory's assertion, that he had never disputed the purity of the motives of the Committee, is notoriously contrary to truth; as Dr Gregory, in his printed papers, did, at great length, labour to calumniate the Committee, and degrade them in the opinion of the public, by representing them as having been actuated by motives and considerations, to which he applied the reproachful epithets of selfish, sordid, unworthy, illiberal, mean, base, odious and disgusting.

That Dr Gregory's solemn oath and declaration refer directly and immediately to the resolution of 5th February, as described by Dr Duncan senior, without any explanation, that they were intended to apply to one part of that resolution only, and not to the other; and there is not a single expression in the course of Dr Gregory's very long letter, from which such an inference could be drawn. And they must farther remark, that as the declaration of the College respecting the motives of the Committee, was a direct contradiction of many assertions made by Dr Gregory in his printed papers; as it implied as wide a difference, between him and the College, respecting the principles of moral conduct, and as it was as much a virtual decision against him, as the other clause, respecting the honourable conduct of the Committee, it was, even according to Dr Gregory's own principles, included in his denial of knowledge, which must therefore be considered as extending to *both* parts of the resolution of the 5th February 1805.

7thly, From all these considerations, it appears to the College, that Dr Gregory's Defence is completely unsatisfactory; that the information which Dr Gregory received from Dr Hamilton, respecting what was to be done at the meeting of 5th February; the reasons which Dr Gregory has stated for his absence from that meeting, and the knowledge which he admits that he possessed respecting that resolution, as well as those parts of it called by Dr Duncan senior the virtual decision, are completely inconsistent with, and contradictory of, his broad and comprehensive denial of knowledge, and his solemn declaration and oath above referred to, and that Dr Gregory has of course been guilty of a direct and deliberate violation of truth.

The College have therefore adopted the whole of the Resolutions moved by Dr Hope, altered as above mentioned, and feel themselves called upon to declare, that they consider such conduct, on the part of Dr Gregory, to be highly immoral, and deserving the reprobation of the College; and they do accordingly express their reprobation of the same, along with their regret and mortification, that any one of their

body should have acted so as to call forth an animadversion and censure of this nature.

The College also adopt the recommendation of the Council, and do hereby express their strongest disapprobation, of the manner in which Dr Gregory has endeavoured in his Defence to obscure the subject, by involving it in an immense mass of irrelevant matter, of the numerous misrepresentations of various facts and circumstances well known to the members individually, of the unfounded insinuations and calumnies contained in that Defence, and of the coarse, rude, and even sometimes grossly indecent language in which it is written.

Several members then expressed their opinion, that as the various long papers which Dr Gregory had printed, relative to the affairs of the College, contain a very great number of gross misrepresentations, tending to affect the reputation of the College as a body, and the character of many members individually, it appeared indispensably necessary, that the College should take some step to contradict the statements of Dr Gregory, and to prevent the public from being misled by them.

The College, after deliberating upon this matter, were of opinion, that a narrative of the transactions alluded to by Dr Gregory, and of the conduct of Dr Gregory in particular, laid before the public, would answer the above purpose. It was therefore resolved, that such a narrative should be drawn up, with all convenient speed, and they appointed the Council, as a Committee for that purpose, with power to consult and employ Counsel, whenever such assistance should seem requisite, and to report thereon to the College.

A true Copy.

ALEX. BOSWELL.

Nov. 5. 1808.

B. 10/13.

NARRATIVE  
OF THE  
C O N D U C T

OF  
DR JAMES GREGORY,

TOWARDS  
THE ROYAL COLLEGE OF PHYSICIANS OF  
EDINBURGH,

DRAWN UP AND PUBLISHED BY ORDER OF THE COLLEGE, IN CONSEQUENCE  
OF THE VARIOUS PRINTED PAPERS CIRCULATED BY HIM RELATIVE  
TO THEIR AFFAIRS.

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1809.

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1877-1878

1878-1879

1879-1880

1880-1881

1881-1882

1882-1883

1883-1884

Printed by Murray & Cochrane,  
Craig's Close.

## ADVERTISEMENT.

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THE following Narrative was drawn up in consequence of the Royal College of Physicians having reason to expect, from repeated assurances on the part of Dr Gregory, that the voluminous printed papers which he presented to them in autumn 1808, under the titles of Defence and Relative Documents, would be circulated as extensively as his Review and Censorian Letter. But as the "war" which he began, and has waged for some years, against them and among them, so far from being, as he in express terms threatened it should be, "not secret, but open," has been hitherto carried on by him in a great measure in the dark,—as his calumnies have been dispersed chiefly among his patients, his dependents, and friends, and circulated where the College cannot trace or follow them, though he has hitherto abstained, and seems now to shrink from any open act of publication, imperious necessity at length compels the College to place this Narrative in the

Booksellers shops, where every person who feels an interest in these affairs may obtain it. Those who have listened to Dr Gregory's misrepresentations, and who are impressed with a sense of the sacred obligation of justice, will doubtless read this Narrative with the same attention which they have bestowed on his papers. Others who have not met with these, who have no concern with the subject, or who have disregarded his slanders, which amuse the idle and gratify the malicious alone, have no occasion to trouble themselves with perusing these pages. They are addressed to those only who have listened to partial and false representations of their affairs.

The College wish it to be clearly understood, that this Narrative was not intended to precede the general distribution of Dr Gregory's Defence and Relative Documents ; and when it is remembered that these were printed, and partially circulated, above a year ago, the College will not be accused of having acted precipitately. From what motives Dr Gregory has so long abstained from giving the most open currency to these performances, the College will not pretend to say. They are certain it is not from delicacy and justice towards the College.

In finally resolving on this publication, the College acted with the greatest deliberation. By the standing Regulations of the College, no publication, excepting the Pharmacopœia, can appear in name of the College, but on the following conditions.

“ 1. It



v

“ 1. It must be voted in three several meetings of the College, and approved.

2. Eight days shall intervene between each meeting.

3. If a third part of those present shall dissent, the publication shall not take place in name of the College.

4. All the Members of the College who reside in town must be summoned to every one of those meetings.”

Not only were all these Regulations complied with, but, in order that every Member might have full opportunity of deliberately considering the detail of the Narrative, chiefly with the view of securing accuracy in matters of fact, a copy in proof-sheets was delivered to each Member on the 14th September 1809. Its publication was afterwards voted at three several meetings, viz. on the 29th September, the 10th and 31st October 1809 ; at each of which meetings the President earnestly requested the Members to point out any error or misapprehension respecting matters of fact contained in it, that, if any such existed, they might be corrected and amended. None, however, were pointed out. Drs Yule and Brown alone objected to the Narrative being published in name of the College.

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## NARRATIVE.

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### SECT. I.

IT is with great pain, that the Royal College of Physicians—not a numerous, but hitherto, they trust, a very respectable Society, find themselves compelled to come before the Public with the narrative of their internal dissensions. The intemperate and injurious conduct of one of their Members, however, has now made this a matter of necessity. Like other collections of individuals, they have had their discussions and disagreements; but till very lately these were always conducted with the temper, and in the language of gentlemen; and were begun and ended within the walls of the College. Dr James Gregory has introduced a new style and a new jurisdiction. He has resorted to the unprecedented measure of addressing the Public respecting the private affairs of the College. Nearly five years ago he printed and distributed two pamphlets, in which he unjustly arraigned, in the harshest terms, the conduct of the President and a Committee of the College; and he has lately distributed a huge quarto volume, in which he repeats his calumnies, and extends his abuse to the whole College.

In these volumes he has given so incorrect and so distorted an account of the proceedings of the College, and of the conduct of individual Members, that it has become absolutely necessary to publish a true and correct narrative of all those proceedings, and an exposition of the improper and injurious conduct of Dr Gregory towards his brethren. From this narrative itself, the reader will be best able to judge, both of the forbearance of the College in having so long abstained from such a measure, and of the necessity which has now led them to have recourse to it.

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The College consists of two descriptions of Members, Fellows and Licentiates. By its charter of foundation in 1681, it is enjoined to admit as Licentiate every person who may present a diploma of M. D. from any University in Scotland, and that without any examination, or other condition than payment of the fees. From the Licentiates, the Fellows are chosen by ballot.

In 1750, a By-law was made, prohibiting any of the *Fellows* from practising either Surgery or Pharmacy in general. In 1754, another By-law was passed, prohibiting Members who reside in Edinburgh, *Licentiates* as well as *Fellows*, from keeping Apothecaries Shops or practising Pharmacy, and enacting, that every person shall accede to this restriction as a condition of his being admitted. As this Law had not yet been rendered effectual, the College, in 1761, had recourse to a public advertisement for that purpose. In 1765, a third By-law was made, specially prohibiting any of the *Fellows* from practising Surgery in general, or Midwifery, Lithotomy, Inoculation, or any other branch thereof. In 1769, the same prohibition was extended to the *Licentiates* of the College.

Some of these regulations were the subject of much discussion, and were disapproved of by many of the Members. The last had been carried by the casting vote of the President, and was rescinded, in the close of the same year, on the motion of Dr William Cullen, when *Licentiates* were permitted to practise Surgery as formerly. In 1770, an attempt was made by the same distinguished Physician to repeal the prohibition imposed on the *Fellows* by the act 1765; but this was not successful. In 1772, a second attempt was made to repeal the same act, in consequence of which it was amended; but the prohibition against the practice of Surgery, Midwifery, or any other branch of Surgery, by the Fellows, was continued. In 1787, a motion was brought forward for the repeal of the act of 1772, so far as related to the practice of Midwifery, and, after much debate, was adopted; in consequence of which, the Fellows of this College may now practise Midwifery. It deserves to be remarked, that Dr James Gregory was one of the most strenuous advocates for this relaxation of the acts 1750, 1765, and 1772.

These facts are thus generally stated, merely to shew that the regulations of the College relative to the participation of its Members in the other branches of the medical profession, are comparatively of recent date;—that the College has all along been divided in



in opinion with regard to the expediency of them ;—and that many of the most distinguished Members have thought, that the prohibitions which had been enacted were too rigorous and extensive.

The act 1754, prohibiting the Members *resident in Edinburgh* from keeping Apothecaries Shops or practising Pharmacy, was generally understood to be so comprehensive, as to prevent them even from preparing and dispensing medicines in any case to their own patients. About the year 1796, it occurred to several of the Fellows, that it might be of advantage both to the College and to the Public, if this prohibition were so far repealed, as to authorise the Members, when they saw cause, to furnish the medicines which they judged proper for their own patients ; and in February 1796, Dr Thomas Spens did accordingly move for a repeal of the act 1754 to that limited extent.

The College was very much divided as to the expediency and propriety of this motion ; and it was debated with considerable keenness, though without any personality or breach of decorum. At last Dr Spens, finding that the proposal, though supported by a majority of his Brethren, was disapproved of by some individuals for whom he had great respect, allowed the consideration of it to be adjourned *sine die* ; and the matter was dropt for the time.

In the beginning of 1804, a discussion accidentally arose, respecting the power which the College possessed by the laws to alienate its property, in the course of which, several of the said laws were found to be very obscure and defective. A Committee was in consequence appointed, with general instructions, to revise and consider them, and to report to the College what additions and alterations should appear to them to be advisable. This Committee was named, according to the invariable custom of the College, by the President, who happened at that time to be Dr Thomas Spens, and who nominated Dr Duncan senior, Dr Buchan, Dr Hope, and Dr Duncan junior, to co-operate with himself in this Committee.

Those Gentlemen accordingly considered the laws with much attention, and found it necessary to propose various additions and alterations. When, in the course of this review, the act 1754 came under their notice, to some of the Committee, the restrictions imposed by that act, appeared too extensive, and even contrary to the spirit of the Charter, while others approved of them, and were at first adverse to any alteration or modification.

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But they came at length to concur in thinking, that it might be expedient to permit the members, when they thought fit, to prepare and dispense medicines to their own patients, and also in doubting, whether the terms of this By-law, did actually debar them from so doing. Instead of altering and repealing the whole law therefore, they thought it more correct and expedient, to engross it in their report, with the following proposed addition or explanation, viz. "As doubts have been entertained respecting the purport and extent of the act of the College, of date 11th April 1754, it is hereby declared, that the restrictions therein mentioned apply solely to such persons as keep or may set up public apothecaries or druggists shops, for the purpose of selling medicines by retail."

The Report, containing this, and various other additions and alterations of the laws, was brought up and laid on the table in August 1804. At the next quarterly meeting in November, Dr Spens, the President, read all the parts of it which contained any novelty, and among others, the preceding explanation of the act 1754. As this was evidently the same in substance and effect with the proposal of Dr Spens in 1796, it encountered a pretty warm opposition, and the consideration of it was postponed till the ensuing quarterly meeting, in February 1805. In point of fact, however, it was never afterwards submitted to the College.

The Committee having learnt, that the proposed measure of permitting the resident Members to furnish medicines to their own patients, was much disapproved of by several of their brethren, did finally resolve, about the middle of December 1804, or rather earlier, to ask leave to reconsider their report, for the purpose of *withdrawing* both that part which related to the act 1754, and any other part of it, which they had reason to think might divide the College. This resolution they immediately communicated to some of those Fellows who had opposed the measure; and as Dr Gregory had expressed his disapprobation of it in very decided terms, they took particular care to notify *to him*, that that part of the report was to be withdrawn. For this purpose, although they knew that Dr James Home, who attended the Committee when the resolution was formed, had communicated it to Dr Gregory in general terms, Dr Spens, the President, in order that there might be no possibility of mistake, afterwards requested Dr J. Hamilton senior to make the same communication to him, which he accordingly did. Notwithstanding this intimation, at the distance  
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of six weeks after this period, viz. about the 27th or 28th of January 1805, Dr Gregory distributed two printed quarto pamphlets, entitled, the one, "Review of the Proceedings of the Royal College of Physicians in Edinburgh, from 1753 to 1804," &c. the other, "Censorian Letter," &c. The professed object of these publications was, to prove the inexpediency and impropriety of allowing Physicians to prepare and dispense medicines to their own patients; but their real purpose was, if we may judge from their tendency and effect, to traduce and calumniate Dr Spens and the other Gentlemen of the Committee, by holding them up to "the contempt and ridicule, the indignation and the reproaches of their fellow-citizens," (Cens. Lett. p. 69.) *as men who were actuated by the most sordid and the basest motives, and who were endeavouring to accomplish a most dishonourable and illegal object, by fraud, falsehood, and other disgraceful and unhal-  
lowed means.*

These papers were not sent officially to the College, nor individually to every one of the Members, but they were distributed by Dr Gregory, very profusely among his friends, pupils, and acquaintances, not only in this city, but over the whole of Great Britain and her remotest colonies. Never was defamation, it is believed, more unprovoked or malignant; and rarely has it been disseminated with greater zeal and activity.

The College felt itself insulted by this unprecedented publication, and the feelings of many of its individual Members were extremely hurt by it. As it had not however been officially presented to them, the former was not directly called upon to take notice of it; and the latter felt too secure of the estimation of their friends and fellow citizens, to think it necessary to seek protection from this outrageous attack, in a disagreeable lawsuit, or an irritating controversy. To neither of them was it desirable to enter the lists of disputation with an antagonist of Dr Gregory's temper and dispositions. They felt, and they still feel, that there is something degrading even in answering such base and disgraceful imputations; and they chose rather to despise the calumny, than, by a formal confutation, to give it a degree of importance to which it was not entitled. The accumulated and repeated injuries of the same turbulent individual (to be afterwards more fully narrated) having at last compelled the College to depart from this resolution of silence, it has now become necessary, however painful and irksome the task may be, to expose the leading falsehoods, misrepresentations, and slanders which fill the pages of Dr Gregory's Review and Censorian Letter.



Letter, and by which he has endeavoured to ruin the reputation of so many of his Brethren.

They must preface these remarks, however, by observing, that Dr Gregory has subjected himself to the severest censure for *the manner* in which his sentiments, whatever these had been, were communicated.

The subject of the partial repeal or explanation of the act 1754, was at that very period under the consideration of the College. If Dr Gregory chose to disbelieve or to forget the intimation which he had received in the middle of December, of the measure having been abandoned by its movers, it was his duty to have come forward at the quarterly meeting in February, and to have urged every thing he had to say against it. If his zeal was too impatient to brook that delay, he might have put his arguments in writing, and sent them to the President and the Members. But, without any such preparation,—without waiting to hear the arguments with which the Committee might support their proposal,—without asking any explanation of what might seem to him unaccountable,—without even waiting to see whether the Committee persisted in their proposal, or whether the College was disposed to sanction it,—to rush into the presence of the public, with two Quarto Pamphlets, of nearly 200 pages, full of the most gross and unmerited abuse of his brethren, and in which he pronounced them guilty of the most infamous conduct, was a proceeding that can admit of no defence or palliation, even if the *bona fides* and good intentions of the author were liable to no suspicion.

“The quarrels of Physicians,” says the late Dr Gregory, “when they end in appeals to the public, generally hurt the contending parties; but, what is of more consequence, they discredit the profession, and expose the Faculty itself to ridicule and contempt.”

And Dr James Gregory himself has, in the strongest terms, and in several of his publications, expressed his reprobation of such conduct in others, even in the case of injury, or where the proofs against the accused or condemned person were clear and incontrovertible.

“When a man, who (says he) is injured, instead of seeking that effectual redress which the impartial laws of his country would certainly afford him, tries the inadequate, precarious, *disgraceful expedient* of an appeal to the public, he must no doubt have some very particular reasons for acting in a manner apparently so preposterous. It must certainly be thought, either that he is not

so much injured as he would have the public believe, or at least, that there are circumstances of his story not quite fit for strict judicial enquiry. When a man, who makes such an appeal, and wishes the public to decide in his cause, instead of telling the whole tale, tells but a very little of it, and that little very erroneously, stating only what is in his own favour, suppressing whatever can make against him, and misrepresenting the words, the meaning, and the conduct of his adversary, it must be supposed, that he has the most substantial reasons for acting in a manner so evidently disingenuous."

In his Defence, p. 57. he says, " In the mean time, it is sufficient to point out, that such *condemning* of a person untried, unheard, uncited, is an act of the most *flagrant injustice*: such an act of injustice as could not be vindicated, even though the evidence against the person so condemned were complete and irrefragable.

*Qui statuit aliquid parte inaudita alterâ,  
Æquum licet statuerit, haud æquus fuit."*

But independent of the indelicacy, illiberality, and injustice of bringing the Gentlemen of the Committee to the " bar of the public, that dread tribunal, from which there is no appeal," (Rel. Doc. p. 50.) and the general demerit of such a proceeding, it directly violated the following article of that solemn obligation, which Dr Gregory, as well as every other Fellow of the College, subscribed on taking his seat, under the penalty of forfeiting the character of an honest man, and a good Christian.

" I, A. B. one of the Fellows of the Royal College of Physicians at Edinburgh, do, by subscribing these presents, solemnly declare, and surely promise, That I shall never divulge any thing that is acted or spoken in any meeting of the said College, or Council or Court thereof, which I think may tend to the prejudice or defamation of the same, or any Member thereof."

Now, although a fair and honest history of its proceedings would be far from tending to the prejudice or defamation of the College, or of its individual Members, yet the distorted and unfair account of them given in Dr Gregory's publications, is calculated, and was intended, both to injure and to defame; and by the strenuous, though fruitless attempts he has repeatedly made to exculpate



exculpate himself, Dr Gregory evidently betrays his consciousness, that he has wantonly incurred the severe penalty annexed to the forfeiture of the obligation.

The Censorian Letter opens, in the very first sentence, with a wilful misrepresentation. It begins with saying, That "he loses no time in beginning to discharge some part of that painful and laborious duty, which the Royal College of Physicians had done him the honour of imposing on him, by appointing him one of *their Censors*." From this it might be supposed, that the Royal College of Physicians had actually among them an office corresponding, in substance as well as in name, with that of the Censors in the Roman Republic. The truth is, however, *and Dr Gregory knew it to be so*, that the office of Censor in the Royal College imports no sort of inspection or controul over the moral conduct either of the Society or its Members. The limited business of this Officer, as described in the Charter, is to take care that no person practise Medicine in Edinburgh, without a licence from the College, and, along with the President, to constitute a Court for the trial of such offenders. It is as absurd in Dr Gregory to pretend, that it gave him any right to rebuke or arraign the College itself, or the Members, as it would be for the commercial Consuls of modern times to think of commanding armies, or of parading with lictors and fasces, because these were the privileges of their namesakes in ancient Rome. The College saw clearly, that Dr Gregory, in thus assuming to himself a false character, wished to palliate to the world the publication of his calumnies, and at the same time to add weight to them. But they equally condemn the imposition and the motive which prompted it.

Having urged this false pretext as one of his reasons for publishing his Review and Censorian Letter, Dr Gregory proceeds to animadvert upon the nature and merits of the measure proposed by the Committee,—the motives and considerations which led to the proposal,—and the general conduct of the Committee in bringing forward their proposed alteration of the By-law.

As to the first of those points, he is pleased to maintain, *1mo*, That the removal of the restriction, which prevents the resident Fellows and Licentiates from furnishing medicines to their own patients, is inexpedient, both in regard to the Royal College and to the Members individually; *2do*, That the measure itself was "immoral and base,—disgraceful to our College and to our



our Profession ;” *3tio*, That the Act, or By-law, of 1754 “ is a fundamental and indefeasible part of the Constitution of our College,”—that any encroachment upon it is a flagrant breach of faith,—and that the proposal of the Committee fell under that denomination ; and *4to*, That to repeal the Act 1754, or any part of it, was a proceeding “ contrary to the law of the country.”

Upon the general point of Expediency, the first of those topics, the College, as they have been for a long time divided with regard to it, will refrain from expressing any opinion.

Upon the second position, that the proposal to remove the restriction is disgraceful, base, and immoral, meriting the strong reprobation of the College, and entailing dishonour on those who brought it forward, the College are so far from agreeing with Dr Gregory, that they are filled with astonishment at the terms in which he presumes to speak of it. They considered the question from the beginning merely as a question of expediency. They knew that medical men of the first eminence have differed in opinion upon the propriety of allowing Physicians to furnish medicines to their own patients ; and they remembered, in particular, that this plan had been recommended by Dr John Gregory, the father of THEIR CENSOR, in his Lectures on the Duties and Qualifications of a Physician, as one of the modes by which the practice of Physic might be improved and purified \*. They had seen, in 1768, some of the most celebrated men of whom their profession could ever boast, Drs William Cullen, John Gregory, Alexander Monro, Thomas Young, Joseph Black, &c. strenuously and successfully contending for permission to the Licentiates of this College resident in Edinburgh to practise Surgery in general, or any of its branches. They had seen, that some of the most eminent men had also attempted, in 1769, and 1770, and 1772, though not with equal success, to extend that permission to the *resident*

\* “ In regard to Pharmacy, it were much to be wished, that those who make it their business should have no connection with the practice of Physic, or that *Physicians should dispense their own medicines*, and either not charge the expence of them to their patients at all, or charge it at the prime cost. It is only in *one or other* of these ways that we can ever hope to see that simplicity of prescription take place in the practice of Medicine ; and it is only from such an arrangement that we can expect to see Physicians placed in that honourable independence which subjects them to no attentions but such as tend to the advancement of their art,” p. 48. Edit. 1772.

*dent Fellows.* Yet they never heard these Members accused of being advocates for measures degrading to the College, or dishonourable to those who moved them, though all the arguments urged by Dr James Gregory against the proposal of the Committee of 1804, would apply with equal or greater force against those supported by his own father and the other eminent men above mentioned. What Dr Cullen and others could not effect in 1769, &c. they saw in part accomplished in 1788, in a great measure by the exertions of Dr James Gregory himself. In that year a proposal was made to repeal the acts 1750, 1765, and 1772, (which entirely prohibited the resident Fellows from practising any branch of Surgery), so far as they regarded the particular branch of Midwifery. Dr James Gregory espoused the cause of Midwifery with ardour and keenness, and succeeded, in spite of a strong opposition, in carrying the repeal in favour of this branch of Surgery. Though, from the year 1750, the date of the original statute, the sentiments of the majority of the College had been constant and uniform, with respect to the propriety of the separation of the profession of the Physician from that of every branch of Surgery; and though the acts of 1765 and 1772 had *specially* interdicted the practice of Midwifery; yet the College never heard that Dr James Gregory, or those who, along with him, carried the above proposal, were accused of having disgraced themselves, or the College, by that measure, or of having employed the force of numbers to accomplish an unworthy or unlawful object. On the contrary, at least one publication of Dr Gregory's might be referred to, in which he makes a boast of the liberality of sentiment and aversion to corporation spirit which induced him to become the champion of Midwifery, though he, in the same publication, expresses the greatest contempt for that art, and avows his utter ignorance of it.

If Dr Gregory, therefore, in 1788, thought it liberal, proper, and honourable for the Royal College to permit the resident Fellows to practise Midwifery, which had always been held as a branch of Surgery, and which, as he chooses to allege, "many wise and good men, and women too, of all ages, and many Physicians, consider an abomination, which degrades the character of the one sex, and sullies the purity of the other;" if, notwithstanding this, he thought it praise-worthy in himself to promote the measure with all his might; it was scarcely to have been expected that the same  
Dr



Dr Gregory should, in 1804, have reprobated the measure of permitting the resident Members to practise so much Pharmacy, as might be requisite for furnishing medicines to their own patients, and should have represented it as degrading to the College, or disgraceful to the Committee, the Members of which he knew had no more intention of following that mode of practice, than he had of engaging in the practice of Midwifery.

It is only necessary to add, that the proposal of the Committee, to permit Members residing in Edinburgh to supply their patients with medicines, appeared to be one about which the most candid and honourable men might differ in opinion, and might maintain either side of the question, without incurring the smallest reproach; and this indeed is the more evident, when it is considered, that this permission is, in fact, possessed by all Fellows and Licentiates who do not practise *in this city*, some of whom actually are, and always have been, in the habit of furnishing medicines in the way proposed.

The third position of Dr Gregory is a very remarkable one. He maintains, that the act 1754 is "a fundamental and inde-feasible part of the constitution of the College;" and because every Member residing in Edinburgh, before admission, must have subscribed it, that any attempt to repeal or alter this By-law is *ipso facto* a flagrant breach of faith! Upon these extraordinary grounds, he brings against the President and Committee the harsh charge of deliberate and determined breach of faith; he repeats it numberless times in his printed papers, and urges it with great warmth and earnestness. This position, and the accusation founded on it, are too preposterous and absurd for any man of sound understanding seriously to support them. To the College it certainly appears to be the height of folly, to call the By-law, or enactment, of 1754, "a *fundamental* and *indefeasible* part of its constitution," seeing that this By-law was not passed till the College had already existed for more than half a century; and it seems consummate absurdity to maintain, that the same power which framed and enacted that By-law, can neither alter nor repeal it, when it shall be found expedient so to do.

The circumstance of every person being required to subscribe this By-law before he be admitted a Licentiate, no doubt was to make it more obligatory, and to secure more effectually the observance of its injunctions. But that obligation does and can only



bind subscribers, so long as it remains a By-law of the College. Repeal the law, and the obligation to obey it is annulled in the same moment.

The College thus hold it perfectly absurd to denominate the repeal of this By-law, whether partial or total, a breach of faith; and consequently the charge of deliberate and determined breach of faith, is as groundless as it is injurious and malignant.

The last of these general positions, viz. "That it is an unlawful deed, an act contrary to the law of the country," to repeal or alter the said By-law of 1754, even surpasses in absurdity that respecting the breach of faith. For though it is easy to conceive, that there may be many By-laws which it would be illegal to *frame*, and still more improper to enforce, it probably would be found a little difficult to devise one, which it would be contrary to law to *repeal*. Certain it is, at least, that the law in question is not of this description, and that it is competent for the College to repeal it, in the same way as, with Dr Gregory's concurrence, they repealed in 1788 that part of their By-laws of 1750, 1765, and 1772, which interdicted their Fellows from the practice of Midwifery.

This analysis of Dr Gregory's reasoning on the nature and merits of the proposal for altering the By-law of 1754, affords at least unequivocal evidence of the most perverted judgment; but if his Review and Censorian Letter had erred only in that respect, the College could not have deemed them fit objects of censure and reprobation. His account of the motives and conduct of the Committee, evinces the most deliberate determination to ruin, *per fas aut nefas*, the character of several of his Brethren, of Gentlemen with whom he had lived in terms, not merely of friendly, but of the most familiar intercourse.

The first object of his abuse is Dr Spens, of whom the College may at least say, that his manners and dispositions are little calculated to provoke so gross an outrage. Of his conduct, in 1796, Dr Gregory has given (Review, p. 14, &c.) a most unfair and incorrect account. He represents him as having "persisted in his motion with unexampled perseverance and obstinacy for nine months," though, by the laws of the College, this motion could not have been finally discussed before the close of six months; and the debate was adjourned to the Meeting completing the nine months, *solely at the request of those who opposed the motion*. He further represents, what

what is absolutely contrary to truth, that the Members who opposed the motion constituted a majority of two to one, and out of tenderness to Dr Spens, permitted the motion to be dropped without a vote.

The motion of Dr Spens was altogether in the spirit of many of those which had been brought forward and supported in the College by the most distinguished of its Fellows; and the whole of his conduct in 1796, so far from meriting the obloquy and reproach cast upon it by Dr Gregory, was blameless in every respect; and in relinquishing the measure, with a majority in favour of it, he acted in the most liberal manner, and shewed, indisputably, his ardent desire to preserve union and harmony in the College.

Dr Gregory is then pleased to state, that Dr Spens, eager to carry through his favourite measure upon any terms, and disregarding the humiliating repulse which he had experienced in 1796, no sooner arrived at the President's Chair, than he resolved to avail himself of his situation, to renew his efforts for its accomplishment; and therefore, at the very first meeting after his election, proposed the appointment of a Committee to revise the laws, that under this cloak he might accomplish his sinister purposes: and that with this intention he packed a Committee, naming those members only whose sentiments he knew to accord with his own.

It is necessary here to quote Dr Gregory's own account of the appointment of the Committee in 1804 for the revisal of the laws. His words are: "1st December 1803, Dr Spens was elected President of our College. At that our Anniversary Meeting, no business is allowed to be done, except the election of our office-bearers, and the customary vote of thanks to the former President when a new one is elected; which vote of thanks is always moved by the new President as a matter of course, and was that day, in the usual form, moved by Dr Spens to Dr Wright, and unanimously agreed to. This being a matter of common form and course, can scarce be regarded as any peculiar act of his; but at the first ordinary Quarterly Meeting, (7th February 1804), being the first opportunity he had to make such an attempt after he came into office, *the very first act of his administration*, was to suggest to the College the propriety of having their laws reprinted with alterations." *Vide Review*, pages 23 & 24.

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This statement, short as it is, contains no less than three wilful and deliberate falsehoods ; for, *1mo*, The suggestion of the propriety of revising the laws did not originate with Dr Spens ; *2do*, The appointment of a Committee for that purpose was not the first act of his administration ; *3tio*, That appointment was not made at the first meeting for transacting business after his election.

Dr Gregory, who seems to consider his memory as infallible, and who here pretends to so much accuracy, as to except specially the election meeting, as not inconsistent with his assertions, cannot have forgotten, that two meetings of the College were held in January 1804, both of them of course previous to the appointment of that Committee. He himself was present at both of those meetings, and took an active share in the business of them ; and, what merits particular notice, it was at those very meetings that the propriety and necessity of revising the laws was publicly suggested by different Members, though not by Dr Spens, in consequence of considerable perplexity arising from the ambiguous import of that one respecting alienation of property, a point then under discussion.

The insinuation, that the President packed the Committee, is totally destitute of foundation ; the College have reason to know, that no Committee was ever named by a chairman in a more fair and impartial manner. Dr Spens, it is true, must have foreseen, that among the other laws, the act 1754 necessarily would come under review. But how did he arrange the Committee with a view to that object ? In the selection of the *four* gentlemen who were to act along with him, he named *one*, (Dr Duncan junior), whose sentiments respecting the By-law of 1754 concurred with his own ; *two*, (Dr Duncan senior, and Dr Hope), whose sentiments he believed to be different ; and the *fourth*, (Dr Buchan), of whose sentiments he was totally ignorant. Such was the Committee said to be packed by the President for the purpose of carrying through this object !

To aggravate his charges against Dr Spens, Dr Gregory asserts, Review, page 24th, that “ In that Committee, one of the earliest, if not the very first things he (Dr Spens) did, as I was informed by Dr Duncan senior, (Sunday 25th November), was to propose this most wonderful and unheard-of interpretation of that law of 11th April 1754, which, but eight years before, he wanted to have repealed, as having almost an opposite meaning.”

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The assertions in this paragraph are in every particular contrary to truth. Dr Spens did not propose this interpretation—he objected to it. This interpretation was not one of the first things proposed in the Committee; and Dr Duncan authorises the College to say, that he never gave Dr Gregory such information.

Equally inconsistent with truth is another account which he has given in his Defence, p. 28. of the reason which induced the College to appoint the Committee. “All the copies of the former edition of our laws being exhausted, it would have been absurd to object to having them *reprinted*, (according to the President’s suggestion 7th February 1804), for that would have been to insist, that we should be governed by laws which we could not know, or could learn only by a tedious and laborious search into our old records.”

It is scarcely possible to conceive how Dr Gregory could venture to assert a falsehood so palpable, that it could not for an instant escape detection. The fact is, that the Librarian has at this moment in his custody more than 100 copies of that edition, a number sufficient to have served the College for fifty years.

With regard to the Committee in general, Dr Gregory asserts, that in suggesting to the consideration of the College, the expediency of so far removing the said restriction, they were guilty of a breach of the solemn obligation which they had subscribed on taking their seats in the College, to preserve unity, amity, and good order among its Members; they exceeded the powers intended to be given them by the College, and were actuated solely by the sordid, unworthy, and disgusting motives of pecuniary advantage; that, urged on by these disgraceful considerations, the *auri sacra fames*, and without even the pretence of any honourable motive or liberal purpose, they smuggled their report into the College, endeavouring, by chicane, fraud, deceit, falsehood, and other unhallowed means, to carry it through; and that when detected, they had resolved, (having secured a majority of the Members to support them), to carry the measure by a vote, in opposition to every consideration of what is true, and lawful, and right, and honourable, and candid, and liberal.

As this account is, in every essential respect, a complete fiction, it is difficult to find words to express the sentiments of indignation which must arise in every liberal mind against the author of such calumnious accusations.

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The Committee was appointed to revise the laws of the College, and to suggest such alterations as might seem proper. Every law consequently came under their consideration, and was open to their suggestions for change. The Committee was named, according to the common usage of the College, and they executed the task imposed upon them to the best of their judgment, and suggested various important alterations on other parts of the laws, as well as the act 1754. Their report was drawn up in the usual style, and was presented, in every respect according to the ordinary form and usage of the College, first to the Council, and then to the College. Dr Spens, at the time he presented it, announced, both to the Council and to the College, that very important changes were suggested; and he proposed, that it should lie (and accordingly it did lie) on the Library table, till next quarterly meeting, for the perusal of the Members. At the next quarterly meeting, he fairly read out all those parts which contained the material changes; and no determination could possibly be formed respecting them, till the third meeting, at the distance of three months.

In all this procedure every thing was correct and proper, however much Dr Gregory has attempted to distort and misrepresent it. He had not therefore the slightest grounds for alleging that the Report was smuggled into the College, and was concealed, or for complaining that he, or any one else, was kept ignorant of its contents.

Dr Gregory's account of the duty of the Committee, in regard to what they ought to have done, and what they ought not to have done, is not a little extraordinary. In his Review, he has laboured to prove that the Committee was proposed and packed by the President, in order to carry through a favourite project. But in his Defence, he says, that the appointment of that Committee to revise the former edition of the laws, and to make such alterations as might seem necessary to be laid before the College for their consideration, "was *unanimous*." And he adds, "It was impossible it could be otherwise. All the copies of the former edition of our laws being exhausted," (which, as has already been stated, was by no means the case), "it would have been absurd to object to having them reprinted; it would have been equally absurd to have objected to our laws being reprinted with alterations; it was evidently *necessary*, in good faith, that all those alterations al-  
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ready made in our laws should be attended to in reprinting them." Both these allegations cannot be true; but this is of little comparative importance to what follows. He remarks, "It certainly was *not necessary* for that Committee to make, or to propose for the consideration of the College, any other *alterations* in our laws. If they, of their own accord, chose to propose any others to the consideration of the College, as what they thought *expedient*, they were entitled to do so. But, in *good faith* this ought to have been done in conformity to the general spirit and tenor of our laws, and ought to have been *limited* to such alterations as they expected their Brethren, who *unanimously* appointed them to revise and reprint the laws, would *unanimously approve and adopt*. To suppose a society of men of reputed good sense, and probity, and liberal education, *unanimously* to authorise five of their own number to do what many of them thought highly wrong, and never would consent to, is a kind of absurdity, and at least an incongruity of thought, absolutely inconsistent with the belief of good faith in those who chose to understand their own commission, as having a meaning that could not have been meant by those who gave it them." Defence, p. 29.

The idea, that a Committee, because it was appointed unanimously, was bound to *propose* no other measure than what would be unanimously *assented to*, and the assumption, that proposing was actually *establishing* alterations, which could not be agreed to, expressed so unequivocally in the preceding quotations, afford specimens of *sound reason* and of *logical precision*, for which no one can object to giving Dr Gregory full credit.

He has also repeatedly charged the President and Committee with disregarding, and wilfully and deliberately violating, that most solemn engagement and obligation, by which every Member of the College is bound to do as much as he can to "advance and preserve unity, amity, and good order among all the Fellows, Candidates, and Licentiates thereof." Censor. Let. p. 3. & 122. "A more gross and illiberal violation of the obligation of preserving unity, amity, and good order among the Fellows of this College cannot be conceived," says Dr Gregory, (Rel. Doc. p. 19.), "than that of which they were guilty in their attempt to falsify and subvert our old and wholesome law against any of our Members practising Pharmacy." For which he afterwards declares his opinion, in his usual style,

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that they ought to have been "*expelled* from the College as *knaves*; nay, more, that they should have been excommunicated as heretics or infidels; for by the *express words* of our law and promissory engagement, as they stood in 1804, the time when the offence was committed, by their misconduct in exciting dissension in this College, they forfeited the character, not only of *honest men*, but of *good Christians*."

The College do not think it necessary to make any comments on the language in which this charge is preferred; but with regard to the charge itself, they must state, that the Committee, instead of violating the obligation in question, did every thing in their power to maintain it, having spontaneously resolved to relinquish their proposal, for the express purpose of preserving peace and harmony in the College. It is true indeed, that this article of the solemn obligation has been violated, and shamefully violated; but Dr Gregory is the guilty person, and tries to avert the charge, by arraigning others. They can with confidence declare, that until the Review and Censorian Letter appeared, the unity, and amity, and good order of the Society were not disturbed. The measure of a relaxation of act 1754, with regard to Pharmacy, proposed by the Committee, like the measure of the relaxation of acts 1750, 1765, and 1772, respecting Surgery, supported and carried through the College by the exertions of Dr James Gregory in 1788, met with keen opposition in the College; but neither of them was calculated to affect, nor did they affect the harmony and good understanding among the Fellows. Nay, upon the latter occasion, viz. in 1804, Dr Gregory himself maintained, to all outward appearance, his usual friendship and intimacy with the Members of the Committee, whose ruin he was secretly meditating, till the very day that he distributed among them his printed abuse.

The charge of falsehood in regard to the Report, and in particular respecting the manner in which the Committee proposed to remove the restriction often mentioned, is, peculiarly absurd and malevolent. It is couched in terms the most harsh, rude, and offensive, and it is repeated and pressed by Dr Gregory in almost every page of his papers. An accusation of such a nature against five of his Brethren, possessing in itself not the *smallest shadow of foundation*, must appear to every one an act of no ordinary atrocity. The known integrity of the gentlemen concerned, and the absence of every inducement which could have prompted them  
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to commit so base and pitiful an offence, might suffice with all who know them for its confutation. But the charge fortunately contains in itself the evidence of its own absurdity.

When speaking of the Report, (Censor. Let. p. 19.), he says, "If that Report be *false from end to end*, which I firmly believe it is; if the preamble of it, that doubts have arisen about the purpose and extent of our law, be *notoriously false*, for as much as no doubts *ever were or could be entertained* on that point," &c.

The assertion in the first clause affords a true and striking picture of the malevolent spirit in which these papers were written, as well as of the uncontrouled freedom with which the most injurious charges are preferred by their author.

The Report actually contained a draught of the *whole laws and regulations* of the College; and Dr Gregory does not scruple to declare his firm belief that it is false from end to end!

The charge of *notorious falsehood*, contained in the second clause, is direct and pointed, but it is totally groundless. The College know that doubts did actually arise in the minds of the Committee respecting the purport and application of the By-law of 1754, and they are not unacquainted with the circumstances and considerations which created them. It would be improper to detail them in this place, but a statement of them is given in the paper N<sup>o</sup> II. of the Appendix.

It is of no moment as to the present question, whether the College deem those doubts valid and well founded or not. They abstain from giving any opinion on that subject. The actual existence of doubts, however, sufficiently shews the calumnious nature of the charge. It must appear very extraordinary, and not very consistent with the romantic sense of honour of which Dr Gregory so frequently boasts, that he should have preferred a charge of so serious a nature, without waiting till the business should be discussed in the College, without making any enquiry, which it was easy for him to have done, concerning the existence of such doubts, and the grounds of them, and without affording the Committee any opportunity of explaining their sentiments upon the subject, or of supporting their assertion.

Dr Gregory has also accused the Committee of chicane and falsification. As this charge, like the former, is a favourite calumny, frequently repeated and strongly insisted on, it may be right



to state the particulars, to shew that it is equally malevolent and groundless as the rest.

The Committee, as formerly mentioned, when engaged in revising and considering the different By-laws, became satisfied that it would be expedient for the College to allow such of its resident Members as were inclined, to furnish medicines to their own patients, and therefore determined to suggest, that the prohibition supposed to be enjoined by the act 1754 should be removed. The simplest way of effecting this would have been, to have omitted in their draught of the laws the act 1754, and to have proposed another law to be adopted in its place.

The Committee, however, on examining the history of the origin of that act, and particularly on considering the report of a Committee in 1753, in consequence of which the act was afterwards passed, with the statement of its object and purpose given in the preamble itself, and the various other circumstances detailed in the Appendix, were led to entertain doubts, whether the act really and truly had the broad and comprehensive meaning, in which the College had been in the practice of interpreting it. There was, and there could be no question as to the sense in which the College did at this time understand it; the only doubt was, whether it ought to be so understood; and on this point the Committee among themselves were not altogether of one mind. The doubts, however, upon the whole, respecting the true purport and extent of the act 1754, were so strong, as to induce the Committee to resolve to submit them to the College, and to suggest, for the consideration of their Brethren, a mode of removing the restriction in question, by which the repeal of the act would become unnecessary.

In the idea, that the same arguments which had weighed with them, would make a similar impression on the College, they proposed, instead of repealing the act, to prefix or add a clause, declaratory of its purport and extent, as then understood by them. In adopting this method, they followed a practice sanctioned by the Legislature itself, which frequently passes acts for the purpose of explaining the purport and extent of preceding acts; and they submitted to the consideration of the College the declaratory clause above quoted, page 4. But correct as this procedure of the Committee certainly was, Dr Gregory has thought fit to pronounce



nounce it, with his habitual coarseness, an act of fraud, chicane, and falsification.

If, in place of the declaratory clause, the Committee had interpolated any words of their own; if they had substituted one expression for another, or omitted any part of the original law, and had then endeavoured to pass such a fabrication as the act 1754, there would have been grounds for reprehension. But the Committee proposed nothing but what was fair and open, and sanctioned by the highest authority; and the College have understood, that their only reason for preferring this method to a partial repeal and a new enactment, was, that the act 1754 might continue as an old established law, to prevent the conjunction of the profession of Physic and of the common Apothecary in the same person. The charge of chicane, falsification, fraud, &c. then, is utterly groundless, or, to speak more correctly, is quite absurd. If doubts had not really arisen in the Committee respecting the true meaning of the act 1754, for what imaginable reason could they have said so? Their *explanation* was just as public, as intelligible, and as easy to be combated, as a motion for repeal. They could not possibly gain any thing as to secrecy, management, or authority, by the one mode of proceeding more than by the other. Unless Dr Gregory, therefore, can persuade his readers, that the Members of the Committee chose to tell a *gratuitous* falsehood, out of pure love of lying, it is impossible that his charge of falsification, even if it were not directly refuted, could ever be listened to by any person of common understanding.

There is another charge, of a less serious nature, though equally groundless and illiberal. Dr Gregory boldly asserts his conviction, that the Committee had *resolved* to carry through their favourite measure, by a majority of votes, (which he calls force), in defiance of reason and argument, and of all considerations of what was honourable and just; and he publishes this assertion, long *after* he had received positive information, that the Committee had come to a formal resolution to relinquish the proposal, first from Dr James Home, in general terms, and afterwards specially and particularly from Dr Hamilton senior, at the express desire of Dr Spens. The threat, that in case the alteration of the By-law should be carried in the College, "he would bring the question under the review of the Court of Session,"

sion," after he had been thus apprised that the measure was to be withdrawn, must have been thrown out with the intention of impressing a belief, that all he had done in this subject had been regulated by a sense of duty.

For the purpose of making this account of the conduct of Dr Spens and the Committee appear credible, he has accused them of having been influenced by the most unworthy considerations. In many parts of his Censorian Letter he asserts, that they had been actuated by a sordid regard to their own pecuniary interest; and that they had been led by the love of money to depart from those honourable and liberal views which had induced their predecessors to enact the By-law which they had attempted to repeal. The College trusts that such an imputation can obtain no credit against any one of that Committee; but it happens fortunately for the gentlemen in question, that their views and situations were *notoriously* such as to preclude the possibility, either of their having any regard to their own emolument in the business, or of Dr Gregory believing that they had any.

The Committee consisted of five Members. Dr Spens, the President, has uniformly declared, and on one remarkable occasion to Dr Gregory himself, (for the circumstance is *recorded by Dr Gregory*, Censor. Letter, p. 6.) that he had no intentions of altering his mode of practice. Dr Duncan senior had in 1796 opposed the partial repeal of the act 1754, and was not more desirous at this than at the former period, of engaging in the practice of furnishing medicines. Dr Hope was indifferent about practice of any description, and certainly had no idea of availing himself of the proposed permission: *and Dr Gregory was thoroughly acquainted with his sentiments upon this subject.* Dr Buchan *was not engaged at all in the practice of Physic in Edinburgh.* He was in Scotland by chance, at the time of the revisal of the laws, as one of the Physicians to his Majesty's forces; and had actually left Edinburgh, and gone abroad on foreign service, several weeks before the appearance of the Review and Censorian Letter. Dr Duncan junior was the *only* Member who it was possible to conceive could avail himself of the permission; but whatever might have been his intentions, no one could doubt, that he was influenced by the same honourable feelings, which actuated the other Members of the Committee.

It is impossible that any man possessed of the smallest share of candour and liberality, or even of an ordinary regard for truth, could,



could, in the knowledge of these circumstances, maintain, that the Committee had acted from the selfish and unworthy considerations of personal advantage.

But even if Dr Gregory had been ignorant of them, it certainly would have been no very extraordinary exertion of charity on his part, to have supposed, that the Members of the Committee might be actuated by motives, of the same liberal description with those which, he says, influenced himself in 1788, when he espoused the cause of Midwifery, and when he assisted so much in carrying the measure of permitting the Fellows to practise that branch of Surgery.

There is indeed one very obvious reason why he should maintain that the Committee had yielded to the influence of the sordid love of gain, and regarded only their own pecuniary advantage, in opposition to what was true and liberal. It was absolutely necessary to the consistency of his charges, that he should assign some *motive*, of great and irresistible power, which should prove sufficient to induce five most respectable and honourable men to quit the paths of truth and rectitude, and resort to "crooked ways, unhallowed means, chicane, deceit, fraud," &c. It required no great penetration to discover, that if he had done justice to the *motives* of the Committee, and had allowed that these were pure and disinterested, as was truly the case, his accusations of dishonourable conduct could gain no credit, and that his labour-ed defamation would have appeared, as it must now appear, not less extravagant than malevolent.

Although the Committee, in consequence of the Report being withdrawn, without any debate upon the subject, had no opportunity of stating the reasons which weighed with them, in proposing the removal of that restriction, the College was perfectly satisfied, that they had acted solely from the most honourable and disinterested motives, and from a belief that that change would tend to promote the future well-being of the College, and the advancement of Medicine in general. Whether that opinion was well or ill founded, it is altogether unnecessary to discuss; but whatever sentiment may be entertained upon the subject, and it is one which certainly admits of different opinions, every candid and liberal mind must be satisfied, that there is no ground for attributing to these gentlemen the mean, corrupt, and illiberal *motives* which Dr Gregory has thought proper to assign.

That the misrepresentations thus exposed cannot have originated



ginated from inadvertency, is evident from this, that many of them are so deliberately contrived, that Dr Gregory himself must have been fully aware of their atrociousness. Even in his history of the earlier proceedings of the College, relative to act 1754, he appears to have indulged designedly in falsification. Thus he has mutilated, for his own purposes, the extract of the Minute printed p. 4. and 5. of his Review. In p. 13. of the same work, he says, "In 1759 a Committee was appointed to revise the act in question. Their Report, fully approving of it, was adopted 6th November 1759." But in contradiction to this, the College positively declare, that neither was such a Committee appointed, nor such a Report made. And he has also suppressed a great part of the proceedings of 1761, although those proceedings related to the act 1754, and in fact furnish part of the grounds, upon which the doubts, expressed by the Committee, with regard to the purport and extent of that By-law, are founded. It is not to be credited that he could have been insensible of having committed such falsifications; on the contrary, it is probable, that the consciousness of what he had done, suggested those invectives against falsehood and chicanery, contained in his Censorian Letter. They are apparently for the purpose of persuading his readers, that he held such nefarious practices in detestation.

Dr Gregory, by way of justifying in some degree the unwarrantable measure of appealing to the public, mentions, in the Censorian Letter, p. 6. that he had not recourse to it, till he had made an attempt to discuss the business of the Report in private, with those Members of the Committee with whom he was in intimacy and friendship, to make them aware of its impropriety,—to tell them plainly his opinion, both of the measure itself, and of the manner in which it had been conducted,—and to warn them of the probable or certain consequences of persevering in such a plan. Had he really performed what he thus professes, though it could never justify such publications, it would have entitled him to claim the merit of having exerted himself to prevent a proposal from being carried through the College, which he considered as highly inexpedient. Let the public judge of his claim to this merit.

Some days after the meeting of the College in November 1804, Dr Gregory waited on Dr Spens, whom he found in extreme pain and distress from the toothach. A real friend, anxious to avoid the  
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violent measure of a public attack, might have mentioned the purpose of his visit, but would have postponed to another and more suitable opportunity the discussion of so important a subject. Dr Gregory, however, persisted; and he draws the most ungenerous inferences from what he calls the cold and forbidding reception he met with; although he at last, with apparent reluctance, admits, that Dr Spens "was at that time embarrassed and in pain from the toothach." The detail of this conversation, as given by Dr Gregory, is in many respects erroneous, and artfully contrived to represent Dr Spens as if conscious of having acted improperly.

"I hinted to him, that if he persevered in that measure, and carried it through, it would probably make an irreparable breach or secession among us. My words were, If you persist in this plan, it must be a matter of consideration with some of us, whether we shall not withdraw from the College altogether. This intimation he received very coolly, telling me only he did not see it in that light, and that the College must decide upon it. As he expressed no surprise or uneasiness at my strong intimation, I could not help thinking that he expected and was prepared for such a consequence of his perseverance. As a last effort, I begged leave to call his attention to the manner in which this business had been conducted, particularly to the strange interpretation of our old law of 1754. Of all that I said, this was the only thing that seemed to make any impression on him. He remained silent for some time, but at last said, with some hesitation, To be sure, it is a strong thing, with the preamble of the law staring us in the face." Cens. Lett. p. 7.

The fact is nearly the reverse in every respect of what is here stated. The allusion of Dr Gregory to the *manner* in which this business had been conducted, made no impression whatever on Dr Spens, because, being conscious of having acted throughout with perfect integrity and disinterestedness, he had no conception of the meaning or object of Dr Gregory's allusion. On the other hand, he received his threat to withdraw from the College both with surprise and displeasure; and it was in reply to that threat, that Dr Spens used the expression, "That would be a strong measure;" which Dr Gregory has chosen, by the addition of other words, and the misapplication of it, to convert into an acknowledgment on the part of Dr Spens that his conduct had been highly improper.



Dr Gregory has not been more faithful in his report of the endeavours he made to convince Dr Hope that *he* was wrong. The greatest intimacy and friendship had subsisted between Dr Gregory and the father of Dr Hope, and they appeared to be transferred to the son, who, Dr Gregory states, possessed his "*esteem, confidence, and friendship*," (Cens. Lett. p. 106.) to such a degree indeed, that he was about to give both him and his brother "the strongest proof of esteem and confidence that one man can give to another." No coolness or interruption had ever taken place in the friendship which subsisted between them, and Dr Hope reposed the most implicit confidence in Dr Gregory's openness and candour. It was to be expected, that in those circumstances he should have fully communicated to Dr Hope all his objections to the measure, and his views with regard to it\*. He called once on Dr Hope: he found him on the point of setting out for the country, and extremely hurried with a great deal of business, which he was obliged to arrange before he left town. Of this, which was the only conversation between them on the subject, Dr Gregory has given the following account.

"Presuming still more on the strict friendship and confidence that had long subsisted between Dr Hope and me, I waited on him, after my interview with the President, to tell him my sentiments with respect to the plan in agitation, and especially the Report of that Committee, of which he was a member. My conversation with him was much shorter, and, if possible, less satisfactory, than that with the President. He seemed much hurried with other business, and impatient to have done with the conversation. All I could learn from the little that he said, was, that his opinion, and that of several other Members of the College, with respect to the measure proposed, was totally different from mine; and that the College must determine it. Before I left him, I took the liberty to call his attention to the *manner* in which the business had been conducted, and the Report of the Committee with respect to the import of our law in 1754, and received for  
answer,

\* Such at least are the notions which the College, in common with the bulk of mankind, entertain of the duties of friendship. The lofty mind of Dr Gregory seems to pride itself on being above those weaknesses, and will no doubt redouble its contempt for his Brethren when he is told, that no part of his conduct has filled them with greater disgust, than the heartless promptitude with which he violated the bonds of friendship that subsisted between him and Dr Hope, and the unfeeling levity with which he talks of changing his friend, as he would change his shoemaker or his dog. *Vid.* Cens Lett. page 107.



answer, "If it is only the manner you object to, we shan't differ about that." He never was more mistaken in his life; for I think the manner just as bad as the measure; and worse it cannot be. The sentiment expressed, and the manner in which it was expressed, left me no doubt of his determined resolution to carry through the measure, in any manner, or by any possible means; and no inclination to make any reply. I could not be mistaken, either as to the sentiment expressed, or as to the very striking manner of expressing it; for a gentleman who accidentally heard the conclusion of our conversation, immediately interposed, saying, with peculiar emphasis, "Oh no, let every thing be done openly and fairly." Censor. Lett. p. 8\*.

Short as this conversation necessarily was, Dr Gregory has suppressed a most material part of it. He began by acknowledging, that he was aware that Dr Hope could have no interested motive, no personal advantage in view, when he supported the plan of allowing the resident Members of the College to furnish medicines to their own patients. Dr Hope's answer to this remark was so pointed, that it could not have escaped Dr Gregory's recollection: He said, "That he (Dr Hope) certainly could have no interested motive,—he had already one Laboratory, (alluding to his situation as Professor of Chemistry in the University), a great deal too good to permit him ever to think of another."

This part of the conversation Dr Gregory has thought proper to suppress; for if he had stated it, it would have shewn how little reason there was to accuse Dr Hope of being influenced by sordid or selfish considerations on this occasion. Dr Gregory has not contented himself with suppressing one part of the conversation; but he has misapplied and perverted the expressions used by Dr Hope towards the conclusion of it in the most unfair and disingenuous manner. He alluded to the manner in which the business was brought forward, but did not explain himself particularly respecting it. Dr Hope, who was not conscious that there was any thing objectionable in the manner in which

\* In the Defence, p. 82. Dr Gregory gives the following false and ludicrous account of this reception by Dr Hope. "The other received me with the most triumphant exultation, in a manner that might be called either sneering or laughing in my face, for it was something between the two, and withal connected with such unequivocal signs of impatience to have done with the conversation, that it was impossible for me to continue it."

the business had been conducted, said, "If it is only the manner you object to, we shan't differ about that;" meaning, as these words plainly and clearly import, that if Dr Gregory objected to the *manner* in which the measure was brought forward, Dr Hope would agree that it should be brought forward in any manner which his friend would approve of\*. Dr Gregory says, "he never was more mistaken in his life; for I think the manner as bad as the measure, and worse it cannot be. The sentiment expressed, and the manner in which it was expressed, left me no doubt of his determined resolution to carry through the measure, in any manner, or by any possible means."

The means, he soon after points out to be, fraud, chicane, deceit, falsehood, &c.

He adds, "I could not be mistaken, either as to the sentiment expressed, or as to the very striking manner of expressing it; for a gentleman, who accidentally heard the conclusion of our conversation, immediately interposed, saying, with a peculiar emphasis, "*Oh no, let every thing be done openly and fairly.*" Upon this perversion of these few words used in a hurried conversation, Dr Gregory has not hesitated to attribute sentiments to Dr Hope, which none but the most unprincipled outcasts of society have ever avowed. He has acknowledged, Cens. Let. p. 8. 105, 106, 107. that he knew Dr Hope from his earliest youth, and that he thought him worthy of his esteem, his confidence, and his friendship; was it credible, that Dr Hope should at once, without any motive whatever, avow, and to him too, principles diametrically opposite to those upon which he had uniformly acted throughout life? There cannot be a more striking proof of the strange turn of Dr Gregory's mind, than that he has perverted the most innocent expressions, used for the purpose of concession and conciliation, into a barefaced avowal of the most profligate and unprincipled sentiments, so totally inconsistent with the uniform tenor of Dr Hope's character and conduct, even as represented by Dr Gregory himself.

The gentleman to whom Dr Gregory has thought proper to allude on this occasion, as confirming his interpretation of what Dr Hope had

\* In the Defence, p. 151, with the same disregard to truth, this expression is twisted into the only instance Dr Gregory knew of a person avowing as his principle of action the immoral principle, that the end sanctifies the means; and adds, "But that was said in an unguarded moment of great exultation in the supposed success of a stratagem that he had employed."



had said, is no other than Mr James Hope, whom he has introduced as a witness against his brother. The College, however, are in possession of a solemn declaration from that gentleman, from which it appears, *that the part of the statement which refers to him is absolutely false*; that he did *not interpose*, as stated by Dr Gregory; and that he did not utter even a single word which bore any relation to, far less imported any condemnation of the sentiments of his brother, or of his manner of expressing them. *Vide App. N° VI.*

Dr Gregory says, that this was the last friendly conversation he ever could have with Dr Hope; and so it should have been, as he immediately began, in secret, to prepare his abusive papers for the press. But it is to be particularly noticed, that after this, for nearly three months, during which time he was meditating a foul blow at the fame and reputation of his friend, he continued in the usual habits of friendly intercourse with both Dr Hope and his brother; indeed he acted with such hypocrisy, that neither of them entertained the smallest suspicion, that this conversation had in any way disturbed their mutual esteem and regard. He cannot have forgotten, that but a few days before his publication appeared, he received a most unquestionable proof, that both Dr Hope and his brother reposed in him the same confidence, and felt the same sentiments of regard and respect for him, which they had always done. Under those circumstances, it will easily be conceived, how great was their astonishment, when the Review and Censorian Letter were put into their hands.

The third attempt was made on Dr Duncan senior. Though Dr Gregory calls it a feeble one, yet it was of a most extraordinary nature. So far from being by way of *arguing and remonstrating*, it was a deliberate stratagem, to obtain from Dr Duncan, by premeditated cunning and address, an unguarded answer, which might furnish matter for reprehension and accusation against himself, and his colleague Dr Spens.

Dr Gregory (Cens. Let. p. 9.) does not blush to state, that he had prepared a dilemma for Dr Duncan; and Dr Duncan has informed the College, that he sprung it upon him in his own carriage, while perfectly unaware of his purpose, and while reposing confidence in his openness and apparent cordiality.

Stratagems in war are practised by all nations, but stratagems, while nations are at peace, would be deemed transgressions even against the law of nations. To contrive questions or dilemmas, for the  
purpose



purpose of entrapping an unwary friend, to propose these, as if by chance, with the view of obtaining a reply, to be afterwards employed against the unsuspecting victim or his friends, cannot surely fail to excite the indignation of mankind.

The dilemma related to the exact period, in which Dr Duncan changed his opinion, respecting the propriety of the resident Members furnishing medicines to their patients, and was intended to discover, whether this change had taken place, before or after, he was named a Member of the Committee by Dr Spens, in the hopes, that by his answer, Dr Gregory might be able to support his charge against the President, of having packed the Committee. Dr Duncan mentioned, that he had changed his opinion at the time that the business was discussed in the Committee.

He thus learned, that Dr Duncan had not changed his sentiments in regard to the act 1754, till some time *after* the appointment of the Committee by Dr Spens. Nothing, therefore, can afford a stronger proof of Dr Gregory's want of candour, than his not drawing the fair and only possible inference from the information which he received, *viz.* that Dr Spens had not packed the Committee; and nothing better ascertains his disregard to truth, than his persisting, in the face of this information, to accuse Dr Spens of having packed the Committee, by naming those Members only whose sentiments he knew to concur with his own. It is therefore not a little extraordinary that he should have boasted of a stratagem, which not only failed in its aim on the person against whom it was intended, but also marks so strongly the value he sets on this act of *sinister wisdom*.

He was not in the same habits of intimacy with Dr James Buchan, and he says, "I felt too great respect for him, on account of certain circumstances to be mentioned afterwards, to allow me to enter on so painful a discussion with him." Cens. Lett. p. 10. These circumstances relate to the meritorious conduct of that gentleman in Egypt, which displayed his intrepid and honourable humanity in the performance of his professional duty, and exhibited an instance of disinterestedness seldom equalled. Dr Gregory portrays his conduct on this occasion in terms of just panegyric; and yet has not scrupled to charge the person, (for whom he has thus expressed so much respect), as one of the Committee, with the most dishonourable and unprincipled conduct, dictated by sordid, mean, and selfish considerations, in the  
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business of revising the laws; in which it is not immaterial to observe, that from his having had most leisure, he was in fact the principal labourer.

Dr Gregory has declaimed much on the purity of his own motives in writing his Review and Censorian Letter; but it is difficult to conceive, how the professed object, of preventing a measure of which he greatly disapproved, could possibly be the real one, since a very few pages only of the Censorian Letter were written, when he was informed, from the most unquestionable authority, that the measure was relinquished. The College has no disposition to investigate his motives minutely, though it appears very certain that they deserve no praise. Many, indeed, might be assigned, but it is perhaps not easy to ascertain the true one. To those, however, who take delight in the task of analyzing human nature and human actions, it might be a matter of some curiosity to calculate, how far *pride*, wounded by the want of that deference which it was in the habit of exacting, operating on a mind unaccustomed to controul its passions;—how far the unbounded wish of displaying superior talents for controversial writing, and the earnest desire of making a parade of sentiments of high and romantic honour;—and how far the pleasing expectation of exalting his own character for professional liberality and disinterestedness above that of all his Brethren, may tend to explain the conduct of Dr Gregory on this occasion.—“In vain (says he himself on another occasion) shall the munificence of our Sovereign, the favour, partial perhaps, yet not, I trust, quite unmerited, of our country, the grateful attachment of those who here first caught the flame of virtue and of science, rear for our use buildings more splendid than the porticoes of Athens, if attempts are made to raise the fame and fill the pockets of any of our number, by arts that would disgrace an advertising or a circumforaneous mountebank.”

There are two other parts of the Censorian Letter which it may be proper to notice particularly, viz. his attempts to affix a stigma on the character of the Committee, by the degrading comparison of their conduct with that of the election-agents of a rotten borough, and the stake of his own fame and fortune on the truth of his assertions, the validity of his reasonings, the openness of his conduct, &c.

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In regard to the former of these, he says, "In some great and noble concerns, especially in election politics, there is a general and complete dispensation from all those romantic principles, and I believe, from all principles whatever."

"The steady adherence to his party, through thick and thin, right and wrong, is more valuable to his friends, and more useful to himself, than the high romantic virtues of integrity, veracity, and candour."

"But I never heard, nor do I believe, that the same dispensations have been granted to men of our profession, in their intercourse with one another, or with their fellow citizens. Unless our Brethren, who have favoured us with the report under consideration, are very sure that the public will estimate their merit by the same rule by which it estimates the merits of election-agents in a rotten borough, they must, by their own conduct, in a matter of such public notoriety and concern, *have lost that state and estimation in society, which they will find it impossible ever to regain.*"

"All men of common sense must see, that they have an interest in their Physicians being men of the *purest* integrity and liberality they can find; for this plain reason, that men of our profession have innumerable advantages, if they are so base as to avail themselves of them, in their intercourse with the rest of mankind. If once they begin to *give themselves a dispensation* from any restraint with respect to moral and liberal conduct, it is impossible to guess where they will stop." Cens. Let. p. 90. 91. 93.

The reader, it is more than probable, has already determined in his own mind, to whom the stigma of having dispensed with all restraints of moral and liberal conduct justly attaches.

Every man who has the feelings of a gentleman must observe the truly malevolent spirit, the determined *animus injuriandi*, evinced by Dr Gregory in these and many other passages, and must regard with the highest indignation, so deliberate an attempt to rob five of his Brethren, some of whom had been his most intimate and confidential friends, of "their state and estimation in society."

The pledge of his fame and fortune on the truth of his assertions is expressed in the following words. "In the mean time they will please to observe, that I deliberately stake my fame and fortune on



on the truth of the assertions, the validity of the reasonings, and the justness of the sentiments expressed in this Censorian Letter, and in my Review of the Proceedings of our College with respect to the same subject, from 1753 to 1804. I admit of the *possibility* of there being some *little unintended* mistakes in what I have written; which mistakes I shall be happy to rectify, as soon as they shall be pointed out to me. But on the truth, and validity, and justness of the *general tenor* of my discourse, on the purity of my motives, the uprightness of my intentions, and the candour and openness of my conduct, in this very strong measure, I cheerfully stake my fame and fortune."—Cens. Let. p. 120.

On this solemn and deliberate pledge it is necessary to offer a short commentary; for it is expressed in such strong language, that persons unacquainted with the circumstances of the case, might suppose Dr Gregory to have been sincere in staking it.

*First*, He has staked his fame and fortune on the *truth of his assertions*. Is it possible that he should have believed himself to have been asserting what was true, in saying, that when he wrote his Censorian Letter, he was discharging "part of the painful and laborious duty of Censor," (Cens. Lett. p. 1.)? That the first act of Dr Spens's administration was, under the cloak of having the laws reprinted with alterations, to pack a Committee, for the purpose of carrying through a sinister purpose, (Rev. p. 24. & 25.)? That the report of the Committee was false from end to end? That the assertion of the Committee, that doubts had been entertained respecting the purport and extent of the act 1754, was notoriously false, (Cens. Lett. p. 19.)? That the Committee were actuated by the most sordid, selfish, and unworthy motives? That the same Committee had employed chicane, deceit, and unhallowed means, to accomplish their favourite project, (*Ibid. passim*,)? And that he had attempted to explain in private to some of the Members of the Committee his opinion of the plan they had proposed,—of the manner in which it had been conducted,—and had warned them of its probable, or certain consequences? The falsehood of all those, and of various other assertions having been already pointed out, it is only necessary to recal to Dr Gregory's recollection his own most apposite remark, (Cens. Lett. p. 90.) "But I do not remember to have heard of even one instance, of a man who, after having once failed in  
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probity and veracity, ever acquired or regained the character of a gentleman."

*Secondly*, Dr Gregory has staked his fame and fortune on the *validity of his reasonings*. But can it be believed, that he supposed his reasonings valid, when he contended that the repeal of a *by-law*, which was made above half a century after the institution of the College, would be immoral, base, and disgraceful, (Cens. Lett. p. 80.)? That a by-law of that description is a fundamental and indefeasible part of the Constitution of the College, (Ibid. p. 4.)? That any alteration of such a by-law would be a breach of faith; and that an actual repeal of that by-law, which, it is to be remembered is not binding upon the Members of the College *who do not reside in Edinburgh*, would be contrary to the laws of the country? It is impossible that any man in the possession of sound judgment could suppose, even for a moment, such reasonings to be valid.

*Thirdly*, Dr Gregory has staked his fame and fortune on the *purity of his motives*, the *uprightness of his intentions*, and the *candour and openness of his conduct*. But can it be said, that a man has been actuated by pure motives and upright intentions, who, in an unwarrantable appeal to the public, loads his Brethren with invective, upon the plea of their having continued to support a measure (be that measure good or bad, it is of no consequence), which he knows they had relinquished? Or will Dr Gregory venture to declare that person to have acted with candour and openness, who contrives dilemmas for his unsuspecting friends, with the design of taking advantage of their unguarded answers, and who continues to deceive those friends by appearances of frankness and intimacy, while meditating, and actually, but secretly, engaged in preparing those poniards with which he intended to stab them, in respects the most tender and dear to man?

These circumstances were too well known to the Members of the College, to permit any impression to be made on their minds by his ostentatious stake of fame and fortune, which, they believe, was intended to impose upon the world at large,—not upon them: and with regard to his boasts of liberality, sincerity, delicate attention to the feelings and sentiments of others, romantic notions of candour, probity, and veracity, &c. they have indeed found these very frequently repeated in his papers; but of their existence  
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and operation on his conduct towards his Brethren, they could discover not a trace.

A man possessed of these qualities, faithfully reports matters of fact—puts the most favourable construction upon every transaction and its motives—never indulges in groundless and injurious insinuations—is slow to accuse—happy to acquit, and averse to condemn.

While the misrepresentations (the most remarkable only of which have been thus pointed out) contained in the Review and Censorian Letter were fresh in the minds of the Members, they felt themselves called upon to adopt some measure for the vindication of the characters of their injured Brethren.

A resolution was drawn up by the Council, strongly expressing their opinion of the honourable conduct and pure motives of the President and Committee in the business of revising the laws. This resolution was communicated to most of the Fellows; and on the following day, the 5th February 1805, *every Member* then on the roll \* came to the Meeting, with the exception of Dr Gregory alone, who absented himself intentionally, as he afterwards informed the College, though cited in the same manner as the rest. The following extract from the minutes will best shew the proceedings on that occasion.

“ The President intimated, that the next business which came before the College, was a measure, recommended to them by the Council, relating to himself, “ and he requested the Vice-President to take the Chair.

“ The Clerk then read the motion of the Council, which is as follows :—

“ The College, taking into consideration the concern which the President has had in the late revisal of the laws, and the great trouble and attention he has bestowed on this, are of opinion, however different the sentiments of the different Members may be upon that subject, that he has acted from the purest motives, and in the most honourable manner; and that he well deserves the thanks of the College, which they request the Vice-President to give him; and they appoint this resolution to be engrossed in the Minutes.

\* Viz. Dr Spens, Dr Wright, Dr Monro, Dr Duncan, Dr Hamilton senior, Dr Rutherford, Dr Stuart, Dr Home, Dr Yule, Dr Hamilton junior, Dr Hope, Dr Duncan junior, Dr Monro junior, and Dr Morison.



“ The Clerk having then called the roll, the whole Members approved of the motion, with the exception of one Member, who objected merely to the form of the motion, but who agreed with all the other Members of the College, that the President had acted in an honourable manner.

“ Thereafter a motion from the Council respecting the Committee for revising the laws, the same with the preceding, *mutatis mutandis*, was read by the Clerk, was put to the vote, and carried in the same manner.—Which resolutions of the College were accordingly intimated to the President and Committee by the Vice-President.

“ The President having then resumed the Chair, represented in name of the late Committee for revising the laws, that having taken into consideration the wide difference of opinion which subsisted among the Members of the College, relative to certain alterations proposed in their Report, they had, about the middle of December last, met together, and formed the resolution of moving for leave once more to revise the laws, in order to withdraw those parts of their Report which were likely to divide the College. He therefore moved, that the Report might be re-committed,—that the Report, when so amended, with any other alterations which might appear expedient, be again circulated among the Members, and be considered by the College at next quarterly meeting.

“ Which motion was unanimously agreed to, and the business was recommitted to the same Committee.”

The College thus gave an undeniable proof of their confidence in that Committee, in the very face of Dr Gregory’s laboured attempt to represent the Members of it as totally unworthy of confidence, by recommitting the Report to Dr Spens, Drs Duncan, senior and junior, and Dr Hope, refusing, even at their earnest request, to allow the place of Dr Buchan, who had gone abroad, to be supplied, lest it might afford an opportunity for malevolent misconstructions.

In thus vindicating the Committee from the aspersions of Dr Gregory, every Member cordially concurred. Those who had most strongly disapproved of the measure to which he objects, and would have opposed it keenly, joined in an unanimous vote, that the conduct of the President and Committee had been perfectly honourable; and the motion itself was introduced by  
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one of those gentlemen who disapproved of the change. Further, the College not only declined giving any opinion on the proposed alteration or interpretation of the enactment of 1754, but expressly stated, that the sentiments of the Members differed on that subject.

The College upon that occasion acted from one common sentiment, in which they all equally participated, that of vindicating the characters of their Brethren, which had been most unjustly attacked. While they were unanimous on this subject, they thought it unnecessary to take any notice of Dr Gregory, or of his publications, which were not regularly before them, having neither been sent to the College, nor to all the individual Members. The minutes containing that resolution received the sanction of another full meeting in May 1805, from which he, though again regularly cited, again voluntarily absented himself.

The College took another occasion of marking their decided approbation of the conduct of their President Dr Spens. The office of President is annual, and no Member can be chosen oftener than twice in succession, unless when, under particular circumstances, he is again called to the Chair by the unanimous voice of the electors. In December 1805, after the expiration of the second year of Dr Spens's presidentship, the College, for the express purpose of marking their complete disbelief of the calumnious imputations which had been published against him, elected him President for the third time; and when he quitted the chair in December 1806, the new President moved the thanks of the College to his predecessor in the following terms, which were suggested by the occurrences which had taken place: "That the thanks of the College be returned to Dr Spens, the late worthy President, for his great attention to the interests and affairs of the College, and for his honourable conduct while in the chair." This motion, seconded in the warmest manner by Dr Yule, was unanimously agreed to.

At the quarterly meeting in May 1805, the amended Report of the Committee was taken into consideration. The Committee had withdrawn, not only the part which related to the act 1754, but some other important parts, particularly several new regulations respecting the admission of Fellows, which they thought might divide the College. After considerable discussion in repeated meetings, respecting different alterations proposed, the Report was finally adopted, 5th November 1805; upon which Dr Duncan junior protested



protested against the adoption and continuance of the act 1754, and delivered his reasons of protest in writing. *Vide* Appendix, N<sup>o</sup> III.

## S E C T. II.

After the quarterly meeting in May 1805, Dr Gregory attended the Royal College as usual, and conducted himself at least quietly, till towards the end of the year 1806, when he took advantage of an accidental occurrence to make a most violent attack upon the College at large.

Dr Stuart, the present President, happened, on his way to the meeting of Council, August 4th 1806, to have a conversation with a medical gentleman, who was not a member of the College, but who talked of some of their proceedings, (not those which had any reference to Dr Gregory), in a manner which convinced Dr Stuart that the affairs of the College were unnecessarily made the subject of conversation out of doors, and very much misrepresented. The charter of the College of Physicians imposes on them the duty of visiting Apothecaries shops, (as in London and Dublin), for the purpose of examining the quality of drugs. That practice had, however, been discontinued by the College. It had been at different times proposed to revive it; but it appeared to the College, that any visitation they could make might be so easily evaded, and that it was not likely to be attended with any material advantage to the public.

At the meeting of the 4th of August 1806, a motion on this subject was submitted to the Council; and as Dr Stuart had just learned the misrepresentations circulated with regard to a measure which he considered as rather of a delicate nature, he, without any previous communication with any of the Members of the College, indeed without any farther premeditation, suggested to the Council, the propriety of an admonition from the College to the Members, with regard to the expediency of their observing silence out of doors respecting the private business of the College.

This admonition was read to the College on the following day, and was assented to without comment from any quarter. It was in the following words: "The President stated, That he had, by desire of the Council, to mention a circumstance which the Council considered of much importance to the College, but which was not intended to have particular reference to what may have happened at any former period. The mention out of doors of what  
passes



passes in any of the meetings of the College, may be attended with most unpleasant and even prejudicial consequences, both to individual Members and to the College as a body. The Council therefore take the liberty of recommending a strict observance of secrecy with regard to all such proceedings; and as they are convinced that every gentleman must be sensible of the propriety and necessity of this measure, they trust that in future it will be rigidly adhered to."

Dr Gregory, who was not present on this occasion, having heard of the admonition, immediately conceived, or affected to conceive, that it was part of a plot against himself, contrived by the Committee, whom he had formerly calumniated, and came to the next meeting, November 5. 1806, deliberately prepared, and seemingly resolved, to insult the College.

Under the pretence of asking information, he began to read, from a large bundle of papers, a series of most extraordinary queries, which struck every one present with astonishment. *Vide App. N° IV.* Some discussion ensued, upon which Dr Stuart took the opportunity of assuring him in the most solemn manner, (as he has since repeated to himself, both in conversation and in writing), that the origin of the admonition was altogether accidental, and bore no reference to him or his conduct, and explained its real object. The Members of the Committee, against whom his Censorian Letter had been directed, also stated, that they were all totally ignorant of the admonition till it was proposed by Dr Stuart in the Council, and some of them until it was read in the College.

Dr Gregory, probably impelled by a consciousness of guilt, and aware that his secret and insidious hostilities were not very consistent with his high pretensions to openness and candour, insisted, that the admonition was levelled at him on account of his publications, declaimed with great violence against it, and then in an impassioned tone, declared, "Since the College will have war, they *shall* have war, and that not *secret* but *open* war."

He then proceeded to finish the reading of his queries, which conveyed a gross insult to the College and its office-bearers, and finally entered a protest against the admonition, reserving to himself the power of giving in his reasons at a future period.

This mode of proposing his queries was altogether irregular, and though perpetually boasting of the openness of his conduct, he has not scrupled to avow that it was adopted *for the express purpose of taking the College by surprise.*

A pretty sharp discussion now followed; and, in consequence of several allusions made by Dr Gregory to the subject of his Review and Censorian Letter, Dr Duncan senior observed, that the College had already given their opinion upon the misrepresentations and injurious insinuations contained in these publications, and had virtually decided that they were scandalous libels. Dr Gregory immediately said, that he did not understand him, or know to what he alluded. Dr Duncan then opened the Minute-book, and showed him the resolution passed on the 5th of February 1805. Dr Gregory looked over the resolution, and then declared publicly, *that he knew nothing of it, or never before had heard of it*, or words to that effect. This declaration, as might well be supposed, did not fail to excite much astonishment.

On the 26th November 1806, the College, after serious deliberation, and after Dr Gregory had refused to retract the offensive matter contained in his queries, found it necessary to pass a vote of censure upon him in the following terms:

“ On this occasion the College find themselves called upon to declare, and they do accordingly resolve, that the imputations and accusations, which those queries seem to imply, are utterly groundless and unwarranted, and they are sorry that they must view the queries themselves as very disrespectful, if not a direct insult to the College.

“ And they do farther resolve, that it is with much concern they have seen any Member take a step which they must deem so improper; and, however much the College are convinced that their dignity and character can suffer no degradation from the intemperate expressions of any individual Member, whether spoken within their courts or published abroad, they must nevertheless declare with the deepest regret, yet in the strongest terms of disapprobation, their sense of the indecorous and improper conduct of Dr Gregory on this occasion, and that it merits very severe censure from the College \*.”

Against this vote of censure he protested; and six months thereafter, at the quarterly meeting in May 1807, read to the Col-

\* At the above meeting, viz. on the 26th November 1806, there were present, Dr Spens, President, Drs Monro, Duncan, Rutherford, Gregory, Wright, Home, Yule, Hamilton junior, Hope, Duncan junior, Monro junior, and Brown; all of whom, with the exception of Drs Gregory, Yule, and Brown, concurred in the above vote of censure.



lege, under the name of Reasons of Protest, a very long paper, including a variety of topics foreign to the subject.

As this paper was expressed in terms as insulting and disrespectful as the queries themselves, the College, with the advice of eminent Counsel, resolved, on the 4th August 1807, that it should not be entered on their records.

### S E C T. III.

On the 2d of November 1807, Dr Gregory transmitted to the President a letter, consisting of no less than sixty-four quarto pages, in manuscript, which he requested might be communicated to the Council, and, if necessary, to the College at large. The professed object of it was, to explain his sentiments respecting the nature of protests, and the right of protesting, which he considered to be an essential preliminary to his reading, on the following day, his reasons of protest against the admonition.

In this letter he chose to advert to a variety of matters foreign to its professed purpose, principally to the late occurrences in the College, upon which he commented in his usual strain of violent invective. He dwelt particularly upon the resolution of 5th February 1805, in favour of the Committee, and demanded various explanations respecting it. He maintained, that the College had, by that resolution, declared him to be either "absolutely insane, or the most impudent liar, and the greatest knave in the country,"—peremptorily requiring that the College should give him the satisfaction of knowing in which of these lights they considered him; and to account for his silence with respect to it, he thought fit to declare, in the broadest terms, and in the most positive manner, that he had remained perfectly ignorant of that resolution of the College, till Dr Duncan senior showed him the record of it in November 1806.

It is necessary to mention, that Dr Duncan had distributed to the Members of the College, in May 1807, a printed paper, being a memorial and queries, submitted by him *individually* to lawyers, respecting the conduct of Dr James Gregory, &c. In this paper, which reached the Members about six months after Dr Gregory's *viva voce* declaration of ignorance already mentioned, Dr Duncan says, "And so far were the sentiments of  
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the College, in general, different from those of Dr Gregory, that after his two publications appeared, they passed, at a full and regular meeting, an *unanimous resolution*, declaring that the President and Committee *had acted from the purest motives, and in the most honourable manner*. The vote was unanimously confirmed at a subsequent quarterly meeting, from which, as well as the former, Dr Gregory alone absented himself. But it can hardly be supposed, that he remained ignorant of what was done at these meetings; and it was his own fault only, if he did not know that the College had thus virtually declared all his accusations of the President and Committee to be false and groundless."

That part of Dr Gregory's Letter, in which he denies, in general, all knowledge of the resolution of February 1805, will be stated afterwards at full length; but the following is his solemn declaration and oath, in reference to the passage now quoted from Dr Duncan's Memorial.

"But he" (Dr Duncan) "is not welcome to say, or to insinuate, as he has done in that printed paper, that I knew of the College having passed that resolution or declaration of February 1805, virtually deciding, (as he calls it), that my Censorian Letter was a false and scandalous libel; implying, that I had shrunk from any enquiry into my conduct in that business; that I had not chosen, or had not dared, to vindicate what I had done, but had in a manner pleaded guilty, by allowing judgment to go against me by default in my absence: *for the direct contrary of all these insinuations and implications is the truth*."

"It is possible, however, that Dr Duncan senior may not be to blame, but only *bona fide* mistaken, when he said it could not be doubted that I knew of that proceeding."

"As to the fact, I must *repeat my solemn declaration and oath before God*, that I neither *knew nor suspected any thing* of it, nay, that I could not even *have thought it possible*, till the moment when Dr Duncan senior told me of it, and shewed me the record of it in our minute-book last November, just one year and nine months after the resolution had been passed."

It was impossible for Dr Gregory to have denied all knowledge of that resolution, in terms more strong or more explicit; and this deliberate and solemn repetition of the denial in writing, created still more astonishment than the *viva voce* declaration of ignorance

ignorance in November 1806 had done, and was received with much incredulity.

The College met on 24th November 1807, for the purpose of taking Dr Gregory's letter into consideration. In the course of the discussion with respect to the answer to be given to it, Dr Hope considered at great length, and commented with much freedom upon all those parts of Dr Gregory's conduct which were connected with the letter then before them. He said, he could not refrain from this discussion, because Dr Gregory had, in his letter, affirmed, that no attempt had been made explicitly to contradict any one important particular of what he had asserted in his Review and Censorian Letter, and had, in the most provoking manner, urged this as a proof, that none of his assertions could be disputed; because, too, in the same letter, while Dr Gregory took the most unlimited credit for the truth and accuracy of his own statements, many of which the College knew to be erroneous, he professed his utter disbelief of the solemn and repeated assurances of the President, Dr Stuart, with regard to the accidental origin of the admonition of August 1806; and further, because the forbearance, which both the College and individual Members had observed towards Dr Gregory, had only encouraged him to fresh aggressions\*.

Dr Hope dwelt upon the great improbability, if not absolute impossibility, of Dr Gregory's having continued ignorant of the resolution of February 1805 for any length of time. He stated, that Dr Gregory had the most urgent reasons for being desirous of knowing what had passed at the meeting in February 1805; he had taken a keen interest relative to the report of the Committee; he had had recourse to the unprecedented step of a most intemperate publication, both in regard to the report and to the authors of it; he expected, as he avowed in the same letter, that "some strong measure was to be taken against him," at that meeting, and for *that very reason* staid away from it; he had the

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\* It is proper to observe, that the College had hitherto interrupted every Member who, in the course of any of their discussions, had alluded to the Review and Censorian Letter, because these publications had never been regularly before the College, and it was anxiously wished, that all such discussions should be avoided. But as Dr Gregory in his Letter, then under consideration, had again pressed these papers, in the most insulting manner, upon the notice of the College, it would have been absurd and unjust to have continued this restraint any longer.



utmost facility of obtaining full information of what passed in it; and he was not, surely, deficient in curiosity, or remarkable for indifference of temper. The resolution also had been a matter of pretty general conversation; nay, it had been printed by those whom it chiefly concerned, and was distributed and shown to many persons, and to several of Dr Gregory's most intimate friends. Dr Hope, however, added, that the awful solemnity of Dr Gregory's written *declaration and oath before God*, had overcome the incredulity which these circumstances had created, and expressed his belief, notwithstanding these most strong and remarkable presumptions, that, some how or other, Dr Gregory had, as he professed, remained ignorant of the said resolution.

The observations of Dr Hope placed the improbability of Dr Gregory's broad and unqualified denial of *all* knowledge or suspicion of that resolution, in the strongest point of view. They were made in the presence of Dr Wright, who, it afterwards appeared, had informed Dr Gregory of that resolution; and they seem to have made Dr Gregory fully aware, that it was more prudent for him to confess *some* knowledge of the resolution of the College, than to persist in his solemn and broad denial of all knowledge, and all suspicion, that any such resolution had been passed.

The reply which Dr Gregory made to Dr Hope filled the College with surprise and astonishment. He admitted, *that he had received information from two of the Members, that the College had passed a resolution on the 5th February 1805, returning their thanks to the President and Committee for their trouble in revising the laws, and declaring that they had acted from the best or purest motives*, but denied that he had been informed, that the College had expressed their opinion, that the Committee had acted in an honourable manner.

This acknowledgment, so completely at variance with his solemn assertions, made in the most deliberate manner in writing, produced an exclamation of surprise and indignation from several of the Members, which they could not restrain. The violation of truth thus disclosed, did not refer to any minute or inconsiderable circumstance, which Dr Gregory might have forgotten, but to one which he had made personal to himself, and in which he had taken the warmest interest. His denial had been deliberate, solemn, and without any exceptions, leaving not the smallest room for subterfuge or casuistry.



A short discussion then followed; in the course of which Dr Gregory, by way of explaining the glaring inconsistency, asserted, that he had considered those parts of the resolution respecting thanks and motives, with which alone, he said, he was acquainted, as conveying a delicate censure on the President and Committee, and that the expression, *purest motives*, might mean, the *pure love* of gold, and insisted that, consequently, his knowledge did not extend to the spirit of the resolution. Some of the Members, on the contrary, maintained, that he must have known, if not the words, at least the spirit, of the whole resolution, as it would have been grossly inconsistent in the College, to have borne testimony to the perfect purity of the motives of the Committee, if their conduct had been immoral and unprincipled, as imputed to them by Dr Gregory. The discussion was closed by the College adopting the following short answer to Dr Gregory's letter of 64 pages, recommended by the Council.

"The President then stated, that the Council having read Dr Gregory's Letter, were unanimously of opinion, that its length and prolixity are such, that to enter into any minute consideration of it, would be altogether inconsistent with the time which the meetings of the College should occupy, and with the other engagements of its Members. They thought, therefore, that Dr Gregory should be desired in future to condense his arguments, and to avoid the diffuse illustrations, and the redundant expressions, with which his papers abound. Regarding the great object of the letter, it was the opinion of the Council, that the College have never disputed the right of any individual Member to protest against any act of the College of which he may disapprove; but, by the advice of counsel, the College have already exercised, and it is their opinion that they should continue to exercise, the right of refusing to record in their Minutes any Reasons of Protest, which to them shall appear disrespectful or improper.

To a great part of the matter which Dr Gregory has introduced, altogether irrelevant and foreign from the Admonition, against which he has declared his purpose to read reasons for his protest, it was the opinion of the Council, that it is not necessary for the College to return any answer. One member of the Council was altogether against adverting to this, as in no shape regularly before the College; but, as Dr Gregory had urged

ged them on the subject of their vote of February 5. 1805, in which they return thanks to the late President and Committee for revising the laws, for their great trouble in this business, and declare them to have acted *from the purest motives, and in the most honourable manner*, the rest of the Council present thought it right that the College should declare their adherence to that vote, and their regret that Dr Gregory should think himself brought into the dilemma so strongly stated towards the conclusion of his letter."

The violation of truth, of which it was evident Dr Gregory had been guilty, gave rise to much conversation among the Members who witnessed its detection.

Although it was clear, from the facts which he admitted, that his protestation of ignorance was a deliberate falsehood, there was some curiosity to know what information he had actually received from the two Members to whom he had alluded. Dr Gregory, however, gave no hint who these were. Dr James Hamilton senior was one of them; and the account which he gave of his communication to Dr Gregory on the subject was, that previous to the meeting of 5th February 1805 he waited on Dr Gregory, and informed him, "that a vote in support, or in favour of the Committee for revising the laws, was to be moved in the College that day, and that he meant to support it." This statement was repeatedly given *viva voce* to Dr Hope, with permission to use it in the College. Dr Hope committed it to writing, and showed it to Dr Hamilton, who, after altering one word, said it was correct, but declined subscribing it.

Dr Wright was the other Member alluded to. He had been present upon the 24th November, but he remained perfectly mute during the whole discussion.

On the 1st December 1807, Drs Stuart, Thomas Spens, and Hope waited on Dr Wright at his own house.

Dr Stuart asked Dr Wright, if he had not informed Dr Gregory of the resolutions of the College of the 5th February 1805.

Dr Wright "replied, that he had, and that he had told Dr Gregory, that the College had completely acquitted the Committee, and had declared that they had acted quite honourably."

It must be supposed, that Dr Wright had been pondering on the nature and extent of the information he had given Dr Gregory, in consequence of the previous striking occurrences in the College



College relative to that subject. These gentlemen, therefore, could have no reason to doubt that the statement he had made to them was correct. To prevent, however, all possibility of mistake on their part, they separately committed to writing the terms of Dr Wright's communication; and Drs Spens and Hope waited upon him again on the *forenoon of the 3d December*, and shewed him the above statement which they had written, requesting him, if he found it correct, to certify it. After having read it, he acknowledged its accuracy, but asked leave to take a copy of it before certifying it; and having copied it, he added to the original with his own hand, and with the utmost readiness, the following declaration.

"I declare that the above statement is, to the best of my recollection, correct. (Signed) WM WRIGHT."

The testimony of Dr Wright and of Dr Hamilton thus coinciding with Dr Gregory's admission, proved that Dr Gregory was possessed of information respecting the resolution, altogether inconsistent with his solemn declaration of total ignorance. Dr Wright's testimony went somewhat farther, as it tended to shew, that Dr Gregory had heard more than he, even at last, thought proper to admit. But though this might be an additional violation of truth, it could scarcely aggravate the falsehood, which was ascertained by his own admission \*.

With evidence so decided, the Members of the College felt it an incumbent duty upon them, not to allow such conduct to pass without notice and censure; and this duty appeared still more urgent,

\* Dr Gregory has been pleased to inveigh against Drs Spens and Hope (Defence, p. 379, &c.) for having made these inquiries of Drs Hamilton and Wright; and with no small degree of art and ingenuity, has represented this step as taking *ex parte* evidence, &c. The College cannot suppose that any one will adopt Dr Gregory's view of this matter. To them it appears in a very different light; they conceive that these gentlemen were called upon by every principle of justice, liberality, and candour, with respect to Dr Gregory, as well as of prudence in regard to themselves, to make every possible inquiry relative to the subject, before preferring a charge of so serious a nature. With regard to their having committed to writing what passed between them and Dr Wright, and afterwards submitting it to him for his correction and certification, before making use of it, instead of being censurable, the College consider this procedure as having been not only commendable, but highly proper and necessary. How much more honourable is it than the opposite plan pursued by Dr Gregory, of taking notes of private and confidential conversations, and publishing these in his pamphlets, without giving the individuals concerned any opportunity of correcting their inaccuracy?



gent, when they considered,—that Dr Gregory had preferred groundless charges to calumniate several of his Brethren,—that to add weight to these charges, he had staked his fame and fortune upon his own veracity, and upon the truth of his assertions, and had continually boasted of the uprightness, candour, and liberality of his own conduct;—that he had insinuated, that none of his assertions or reasonings could be contradicted, because the College had hitherto forbore to notice them;—that he had repeatedly declared war, and open war, against the College, and was in the press, to commence the attack, at the very time when he uttered the falsehood in question;—that the part of his letter which contained this falsehood, was written avowedly to procure materials for his publication;—and finally, that the forbearance of the College, in regard to his former deviations from truth, had only, as it seemed, emboldened him to repeat his insults.

As the detection was the immediate consequence of the observations made upon Dr Gregory's letter by Dr Hope, the duty of bringing this business forward naturally devolved upon him.

Accordingly, after having made various fruitless attempts to interest several most respectable persons among Dr Gregory's friends to co-operate with him, in preventing the necessity of a public disclosure of this degrading offence, Dr Hope laid a series of resolutions before the Council on the 4th, and before the College on the 5th December 1807, both meetings having been called expressly for the purpose.

While the President was taking the chair, on the 5th, Dr Wright, without assigning any reason whatever for the request, or without giving the smallest hint, that he meant to retract his testimony, abruptly asked Dr Hope to give him back the paper which he had signed on the 3d. This Dr Hope declined, as it had been tabled at the meeting of the Council the preceding day, and as it was included in the resolutions, to receive which the meeting of the College was then convened.

The resolutions moved by Dr Hope were of so serious a nature, and so important in their consequences, that nothing but the most weighty considerations could have induced the College to receive and discuss them. The 19th of December (1807) was appointed for this latter purpose, that Dr Gregory might have sufficient time to prepare his defence.

On

On that day, after Dr Hope had laid the resolutions before the College, with the evidence in support of them, Dr Wright read a paper, in which he disavowed the declaration which he himself had certified as correct on the *forenoon* of the 3d, alleging that he had discovered certain manuscript-notes on the *morning of the same day*, which convinced him that that declaration was inaccurate, and asserting, that he now knew positively he had merely told Dr Gregory, "that a motion had been made in the College agreeable to the recommendation of the Council, which, after much discussion, had been agreed to; and that the College had ordered the Vice-President (Dr Wright himself) to render their thanks, first to Dr Spens, and then to his Committee, for the revisal of the laws; and that they were convinced they had acted from the purest motives." "Here I stopt," (adds Dr Wright); "more than this, I did not report to Dr Gregory of the proceedings of the Royal College of Physicians on that day, nor upon any other occasion whatsoever."

Having read this paper, he refused to deliver it to the College—but he has since given it to Dr Gregory, who has published it among his Relative Documents.

Dr Gregory then stated, that before entering on his defence, he wished to put some questions to Dr Wright, to Dr Hamilton senior, and to some other Members of the College; and he produced a bundle of papers, from which he accordingly read interrogatories, which he had previously written, and now put to Dr Wright. Most of the questions might be called very detailed leading ones, and some of them were very intricate and abstruse. They seemed to be put with the intention, not of obtaining from Dr Wright information respecting facts, but to get him to express publicly an opinion approving of the Censorian Letter and Review. In general they were answered by Dr Wright by a simple affirmative or negative.

As the statements given by Dr Wright in his written speech, and in his replies to some of Dr Gregory's questions, differed materially from matter of fact, and from that statement which he had formerly certified as correct, he was cross questioned, as was unavoidably necessary, by several of the Members; and on reading the minutes of that examination, it must appear, that his answers neither agreed with his own written speech, nor with the answers he gave to Dr Gregory..



As a detailed account of the inconsistencies of Dr Wright is contained in the Appendix, N<sup>o</sup> I. it is unnecessary to mention in this place all the circumstances which induced most of the Members to regard this partial departure from his previous testimony, and this accommodation of it to the terms of Dr Gregory's admission, in a very suspicious point of view. It is sufficient to state, that the account which he then gave of his conversation with Drs Stuart, Spens, and Hope, was contradictory to the one which he had certified as correct, two days after it had taken place; that he asserted, that he found the manuscript notes on the morning of the 3d of December, *immediately* after breakfast, though in fact it was not till near the middle of that very day that he had certified the statement he gave to Drs Spens and Hope; that he acknowledged, that he was not in the habit of keeping notes of his conversations about the affairs of the College; that he refused to show the notes to any one, or even to preserve them in existence; and that, after having declared that he had a perfect recollection of what was contained in the Censorian Letter, he affirmed, that Dr Gregory *had not in that work blamed the motives of the Committee for the revisal of the laws.*

But this new testimony, even though it had been unquestionable, could not in any manner have exculpated Dr Gregory in the essential point of the falsehood imputed to him, because it still left his unqualified denial of *all* knowledge of the resolution of 5th February 1805 absolutely inconsistent with truth.

When the examination of Dr Wright was concluded, Dr Gregory was called upon to make his defence. It was to have been expected, that as the charge against him was specific and pointed, his defence would have been ready and explicit. Dr Gregory, however, declined making any *viva voce* defence, and said he would yet require several weeks to prepare it, and that he intended to deliver it in print. Some discussion then took place respecting the length of time, in addition to the fortnight already elapsed, which would be sufficient for preparing a defence against a charge lying in so narrow a compass. The time demanded by Dr Gregory seemed to many of the Members much longer than necessary, and, connected with his conduct that day and on some recent occasions, had the appearance of a stratagem both to gain time and opportunity of giving vent to his abuse against the College. Upon this being suggested, Dr Gregory behaved in the most outrageous manner, while the conduct of Dr Hope, against



against whom his violent and ungentleman-like language was directed, merited the full approbation of the College.

Subsequent events, it may be here observed, have fully justified the suspicions which then arose.

This discussion terminated, by the College agreeing to allow Dr Gregory the whole time he asked to prepare his Defence, which he then engaged should be ready before the next quarterly meeting in February 1808.

Dr Gregory however by no means fulfilled this engagement; for upon that and several subsequent meetings he transmitted portions only of a printed paper, entitled, Dr Gregory's Defence; and it was not till after many and repeated delays, continued during seven months, that he, on the 2d of August, gave in the whole of what he stiles his Defence, against this charge of falsehood, under the form of a 4to volume of 494 pages, exclusive of a volume of 180 pages, entitled, Relative Documents. On that day the College fixed the 13th of September for taking the Resolutions and Defence into consideration. Dr Hope and some other Members then requested that Dr Gregory's friends would communicate to him their most earnest wish that he should give his personal attendance on that occasion. Dr Gregory however absented himself from the meeting; but a few days before it took place, he enriched his Defence with a Postscript of 16 pages, and made considerable additions to his Relative Documents.

Before the meeting of the 13th September, the Members of the College perused with great attention the volume presented by Dr Gregory. This however proved to be a task requiring no small labour and patience, not so much on account of the extraordinary length of the volume, as from its being in a great measure made up of irrelevant and incoherent matter, calculated to obscure and to disguise, not to elucidate the real point at issue.

The following extract from the Minutes of the College will shew the nature of the charge brought against Dr Gregory, and, at the same time, the proceedings of the College at the extraordinary meeting held for the purpose of deciding upon it.

"On the 13th of September Dr Hope was first heard in support of the Resolutions submitted by him and Dr Spens to the College. He then read, and lodged with the clerk, an amendment, which it became necessary to make upon these Resolutions, in conse-

quence of Dr Wright having departed from the declaration signed by him.

The original Resolutions moved on the 5th December 1807 were in the following words.

‘ Dr Hope moved, That the Royal College of Physicians should declare and resolve as follows :

1st, That at a Quarterly Meeting of the College, on the 5th of February 1805, when every Member on the roll, except Dr Gregory, was present, the following Resolutions, transmitted from the Council, were passed.

‘ The College, taking into consideration the concern which the President has had in the late revisal of the Laws, and the great trouble and attention he has bestowed on it, are of opinion, however different the sentiments of the different Members may be on that subject, that he has acted from the purest motives and in the most honourable manner, and that he well deserves the thanks of the College, which they request the Vice President to give him; and they appoint this Resolution to be engrossed in the Minutes.

“ The Clerk having then called the roll, the whole Members approved of the motion of the Council, with the exception of one Member, who objected merely to the form of the motion, but who agreed with all the other Members, that the President had acted in an honourable manner.

“ Thereafter, a motion respecting the Committee for revising the Laws, the same with the preceding, *mutatis mutandis*, was read, put to the vote, and carried in the same manner.” And the same were regularly sanctioned, when the minutes were read at the subsequent meeting of the College in May.

2d, That Dr Gregory, in a letter addressed to the President, dated November 2. 1807, referring to a meeting of the College in August 1806, from which he had been absent, uses the following words: “ I absented myself from that meeting purposely, and went about my ordinary business at the time of it, *because I confidently expected that some very strong measure with respect to me, was to be proposed in the College*: and I thought it more delicate, towards my Brethren, to leave them at full liberty to express, without reserve, their sentiments, and take their resolution with respect to me, than to lay them under any restraint by being present at their meeting; and also more prudent, with respect to myself,



self, to avoid, than to engage in, an unavailing debate, or perhaps an angry and disgraceful altercation.

“ *On that occasion, I acted exactly in the same manner, and from the same liberal and honourable motives, that I had acted from on a similar occasion, at the quarterly meeting of the College in February 1805.*”

3d, That Dr Gregory, in the same letter, uses the following language, in regard to his ignorance of their proceedings on the said 5th February 1805.

“ From this detail of the nature, and tendency, and purpose, of my reasons of dissent, you may easily perceive that they involve some plain considerations of reason, or rather of common sense, about which I can hardly conceive that my Brethren and I should differ, even for a quarter of an hour. They are at least totally different from, and independent of, those principles of moral conduct about which we differ totally, and, I much fear, irreconcilably. This strange difference of opinion, with respect to the principles of moral conduct, I discovered *only about a year ago*, and *that*, as you know, by mere accident; for though it had been strongly expressed, by my Brethren, in an unanimous resolution, in my absence, at their meeting in February 1805, and had even been recorded in our minute-book, nay had been printed and distributed very freely, for a year and a half, it somehow happened that I had not *the least intimation of it*, till our meeting in November last. From this I infer that neither the Royal College at large, nor any individual Member of it, not even yourself, who, if I am rightly informed, first proposed that declaration of your moral sentiments, wished me to know it, or to make it a subject of discussion: for if you had wished this, you would certainly have informed me of it without delay.

“ *The first intimation* that I had of it was, by Dr Duncan senior declaring, vehemently, after hearing me read my queries, that the College must assert its own dignity; that it had shown too great lenity to great offenders (or offences), that my printed paper was a scandalous libel, and that the College had already decided that point. This he repeated; and on my telling him, repeatedly, that I did not understand him, *or know to what he alluded*, he turned up the minute-book, and shewed me the record of the proceedings of the College in February 1805. As that discovery of it was evidently accidental, and as the proceeding of the Royal College was most deliberate, I judge that it was not intended, by my Brethren,  
that



that I should ever know of our great difference about morals; which I must own was the most likely way to prevent any disputing about them. I judge also that their deliberate proceeding, on that occasion, was strictly consonant with their principles of moral conduct: But I must take the liberty to say, that it was altogether repugnant to mine; which, as my Brethren well knew, were explicitly stated in my Censorian Letter.

“ As their sentiments of moral right and wrong were so different from mine, that they all thought those proceedings most honourable which I thought just the contrary, they must have thought mine completely erroneous, and probably dangerous or pernicious in their consequences. They could not surely distrust my sincerity in the sentiments which I professed, and the assertions, with respect to many plain matters of fact, which I had stated. But if they had thought so unfavourably and unjustly of me, they ought to have proceeded against me as a criminal; and no doubt they would have done so, for their own sakes individually, as well as for the honour and interest of the Royal College.

“ If they believed me sincere in what I had professed, but miserably mistaken in my notions and principles of moral conduct, it would have been rational and highly proper, nay it would have been a humane and Christian duty, on their part, to have endeavoured to instruct me, and set me right, or at least to have admonished me of the nature and danger of my errors; provided always, and supposing, that they thought me not absolutely insane, but capable of being reasoned with.

“ But if they thought me absolutely insane, incapable of instruction, and unfit to be reasoned with, and were themselves sincere in those sentiments, so different from mine, which they professed, then, certainly, they ought to have taken measures to get me confined, and treated, as a lunatic.

“ If now, on hearing my reasons of protest, they shall differ from me with respect to the principles of reasoning and common sense, as much as, on reading my Censorian Letter, they did with respect to morals, they cannot hesitate what to do with me.

“ You know, Sir, that more than three months ago Dr Duncan senior distributed among us a printed paper, purporting to be a Memorial and Queries submitted by him to counsel, including a query about the expelling of me from this College for having divulged their secrets; and containing in his own hand writing a  
very

very strong hint or intimation that probably he would make a motion to that purpose. He is heartily welcome to try the experiment whenever he pleases.

*"But he is not welcome to say, or to insinuate, as he has done in that printed paper, that I knew of the College having passed that resolution, or declaration, of February 1805, virtually deciding, (as he calls it), that my Censorian Letter was a false and scandalous libel; implying that I had shrunk from any inquiry into my conduct in that business; that I had not chosen, or had not dared, to vindicate what I had done; but had in a manner pleaded guilty, by allowing judgment to go against me, by default, in my absence: for the direct contrary of all these insinuations and implications is the truth.*

"It is possible however that Dr Duncan senior may not be to blame; but only *bona fide* mistaken, when he said it could not be doubted that I knew of that proceeding.

*"As to the fact, I must repeat my solemn declaration, and oath before God, that I neither knew nor suspected any thing of it, nay, that I could not even have thought it possible, till the moment when Dr Duncan senior told me of it, and shewed me the record of it in our minute-book last November, just one year and nine months after the resolution had been passed. But measures, which I never heard of, yet well known to Dr Duncan, may have been taken to inform me of it, even from the first; and these measures may have been frustrated by circumstances, of which I have no knowledge or suspicion. His words seem to imply some such meaning: and the fact ought to be ascertained, for his vindication and credit. If the College, as a body, expressed any wish, or gave any order, to inform me of it; if any individual Member of our College expressed such a wish, or undertook to give me such intimation; if any individual of our College, or not of it, says he gave me such intimation, or says he ever heard me express any knowledge or suspicion of such a proceeding, before it was announced to me by Dr Duncan in that strange manner, of which you were a witness, at our meeting in November last, I wish it to be declared explicitly, and publicly: for, in case of need, I have a very different tale to tell, and to establish, as far as a negative proposition can be established, by very competent evidence."*

4**b**, That on the 24th November 1807, the College met for the purpose of considering that letter from Dr Gregory, and when Dr  
Hope,



Hope, in the course of delivering his opinion respecting that letter, and respecting various parts also of Dr Gregory's conduct towards the College, himself, and other Members, did strongly represent the improbability of the ignorance, which Dr Gregory professed, of *the proceeding* of the College in February 1805; and the little reason the College, or its Members, had to believe, that he could have continued ignorant of it, or could have entertained no suspicion of it, for one year and nine months; and added, that in spite of all such improbability, *he did, in consequence of Dr Gregory's solemn declaration and oath before God, express his belief, that Dr Gregory was really ignorant of that proceeding; Dr Gregory did, in spite of that solemn oath, having been much pressed upon the subject, acknowledge and confess, that he had received information from two of the Members, that the College had, on the said 5th February, come to a resolution, returning their thanks to the President and Committee for their trouble in revising the laws, and declaring that they had acted from the purest motives; but denied his being informed that the College had expressed their opinion, that the Committee had acted in an honourable manner; and that Dr Gregory did publicly repeat this acknowledgment more than once, at the desire of some Members of the College, and did afterwards acquiesce in it, when repeated as above by Dr Hope in the same meeting; and did express his intention to send the same in writing to Dr Hope the next day, which he did not do, and has not since done.*

*5th*, That Dr James Hamilton senior, one of the Fellows, has declared, that on the morning of the 5th February 1805, he had informed Dr Gregory, that a vote in support, or in favour of the Committee for revising the laws, was to be moved in the College that day, and that he meant to support it; and that Dr Wright, another of the Fellows, has declared, that he had informed Dr Gregory of the said resolutions, and that the College had completely acquitted the Committee, and had declared that they had acted quite honourably.

*6th*, That the College taking into consideration the foregoing statement by Dr Gregory, of the reason of his absence from the meeting of 5th February 1805; the solemn declaration and oath before God of his ignorance of *that proceeding*, and of his having no suspicion of it; the subsequent acknowledgment or confession of Dr Gregory, so inconsistent with that declaration; and the testimony of Dr Hamilton, and of Dr Wright, contradictory both  
of



of that oath and declaration, and of the avowal which Dr Gregory made on the said 24th November—Do, in respect that these statements were deliberately made within their own walls, or in writings addressed officially to their President, and in the course of discussion relating to the private business of the College, feel themselves called upon to declare, that they consider such violation of truth, on the part of Dr Gregory, to be highly immoral, and deserving the reprobation of the College; and they do accordingly express their reprobation of the same, along with their regret and mortification, that any one of their body should have acted so as to call forth an animadversion and censure of this nature.’

The resolutions moved on the 13th September 1808, with the amendment as lodged with the clerk on that day, were the same as the preceding, as far as the 5th resolution. The amendments were,

5th, That Dr James Hamilton senior, one of the Fellows, has declared, that on the morning of the 5th February 1805, he had informed Dr Gregory, that a vote in support, or in favour of the Committee for revising the Laws, was to be moved that day in the College, and that he meant to support it.

6th, That Dr Wright, another of the Fellows, declared to Dr Stuart, the President, Dr Spens, and Dr Hope, on the 1st of December 1807, that he had told Dr Gregory, that the College had, on the 5th of February 1805, completely acquitted the Committee, and had declared that they had acted quite honourably: That Dr Wright, on the 3d of December, in presence of Dr Spens and Dr Hope, did subscribe, and certify as correct, a copy of the said declaration, which is now lodged with the clerk\*: That Dr Wright,

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on

\* *The Statement and Declaration are in the following terms:*

“ On the 1st of December 1807, Drs Stuart, Thomas Spens, and Hope, waited upon Dr Wright at his own house.

“ Dr Stuart asked Dr Wright, if he had not informed Dr Gregory of the resolutions of the College of the 5th of February 1805?

“ Dr Wright replied, that he had; and that he had told Dr Gregory, that the College had completely acquitted the Committee, and had declared that they had acted quite honourably.”

“ *I declare, that the above statement is, to the best of my recollection, correct.*

(Signed)

“ WILLIAM WRIGHT.”

Dec. 3. 1807.

on the 19th of December last, declared to the College, that after he had signed the above statement on the 3d December, he had found notes of the communication he had made to Dr Gregory on the 4th and 5th of February 1805, from which he discovered, that he had informed Dr Gregory, that the College had voted their thanks to the Committee for their trouble in revising the laws, and had declared their conviction that they had acted from the purest motives ; but that he had not informed Dr Gregory of any thing more : That Dr Wright, when questioned by the President, at the meeting of the College on the 19th December last, declared, that the said notes were not legible by any person but himself,—refused to produce them,—and declined engaging to preserve them in existence.

*7th*, That the College, taking into consideration the foregoing statement of Dr Gregory, of the reason of his absence from the meeting of the 5th of February 1805,—the solemn declaration and oath before God of his ignorance of “that proceeding,” and of his having no suspicion of it,—the subsequent acknowledgment or confession of Dr Gregory, so inconsistent with that declaration and oath,—and the testimony of Dr Hamilton and the different statements of Dr Wright, all perfectly contradictory of that solemn declaration and oath,—Do, in respect that these statements by Dr Gregory were deliberately made within their own walls, or in writings addressed officially to their President, and in the course of discussion relating to the private business of the College, feel themselves called upon to declare, that they consider such violation of truth on the part of Dr Gregory, to be highly immoral, and deserving the reprobation of the College ; and they do accordingly express their reprobation of the same, along with their regret and mortification, that any one of their body should have acted so as to call forth an animadversion and censure of this nature.

“ The College then deliberated maturely upon these resolutions, each Member delivering his opinion in the order of seniority, and in general at considerable length.

Dr Barclay, though he held many of the arguments in the defence as unsatisfactory and futile, did not however think it competent to enter into the question whether the charges were proved or not.

All



All the other Members, with the exception of Drs Wright, Yule, and Brown, who regarded the charges as wholly unfounded, concurred in the sentiments expressed in the resolutions, and in the opinion, that the Defence presented by Dr Gregory was altogether unsatisfactory.

Dr Hope was again heard in reply. The vote was then put, " Adopt the resolutions moved by Dr Hope, or not ?" when it was carried, seven to three, Adopt ; Dr Barclay declining to vote, having some doubts respecting the propriety of taking the resolutions into consideration, and of the right of the College to decide upon them.

Dr Wright, Dr Yule, and Dr Brown, protested in the clerk's hands against the adoption of the resolutions, and desired it to be marked in the minutes.

Dr Hope then stated, that as the College had resolved to pass a vote of censure upon Dr James Gregory, on account of a deliberate violation of truth, in a solemn declaration and oath before God, committed within their walls, and in the course of the business of the College, it appeared to him highly right and proper, that the College should insert in their records a statement of the grounds upon which they founded their decision, in order that their successors in the College may see, that they have not passed a vote of so serious a nature, respecting one of their Members, without having the most clear, certain, and complete evidence of the delinquency.

The College approved of this measure, and thereupon Dr Hope submitted to them a draught of such a deliverance, as he thought the College should insert in their records.

This draught was approved of by the College, and was lodged with the clerk. The same has since then been carefully revised by the President and Council, and the tenor of it is as follows :

" The College have considered very maturely the subject of the resolutions, as moved by Dr Hope on the 5th of December 1807, and as altered, in consequence of Dr Wright having given a different testimony to the College on the 19th from what he had given to the President, Dr Spens, and Dr Hope, on the 1st, and signed on the 3d, all of the same month.

The College have also considered attentively the printed Defence of Dr Gregory, and have maturely deliberated upon the whole of this serious and momentous business.



It appears to the College,

*1st*, That Dr Gregory, in his letter addressed to the President on the 2d of November 1807, as quoted in the third resolution moved by Dr Hope, does, in the most general, broad, and comprehensive terms, aver, that he knew nothing of the resolution or declaration of the College of the 5th February 1805, implying, as Dr Gregory alleges, in various parts of it, a difference of opinion between the College and himself respecting the principles of moral conduct, moral sentiments, morals, sentiments of moral right and wrong, until the record of it was shewn to him in November 1806, one year and nine months after it was passed.

*2dly*, That Dr Gregory has, in the said letter, asserted in a solemn declaration and oath before God, that he had no knowledge or suspicion of what Dr Duncan senior, in a printed paper distributed to the Members of the College in May 1807, has represented as a virtual decision of the College against him, Dr Gregory; which virtual decision Dr Duncan describes, as consisting in an unanimous resolution of the College on the 5th of February 1805, declaring, that the President and Committee had acted from the purest motives, and in the most honourable manner; nay, that he, Dr Gregory, could not even have thought it possible, till the record of it was shewn him, a year and nine months after the resolution had been passed.

But it appears to the College,

*3dly*, That Dr Gregory has, in his letter already referred to, and as quoted in the second resolution moved by Dr Hope, stated as a reason for purposely absenting himself from the meeting of the 5th of February 1805, that he confidently expected some very strong measure with respect to himself was to be proposed in the College, and that he thought it more delicate towards his Brethren, to leave them at full liberty to express their sentiments, and to take their resolution with respect to him, than to lay them under any restraint by being present, and also more prudent with regard to himself, to avoid than to engage in an unavailing debate, or perhaps an angry and disgraceful altercation.

*4thly*, That Dr James Hamilton senior had, previously to the said meeting of the 5th of February, informed Dr Gregory, that a vote was that day to be proposed in the College, in favour or in support of the Committee for revising the laws, and that he, Dr Hamilton, meant to support it.

*5thly*,

5thly, That Dr Gregory did, on the 24th of November 1807, as stated in the fourth resolution moved by Dr Hope, acknowledge and admit, that he had received information from two of the Members, that the College had, on the said 5th of February, come to a resolution, returning their thanks to the President and Committee for their trouble in revising the laws, and declaring that they had acted from the purest motives; which admission has since been corroborated by the testimony of Dr Wright.

6thly, That the grounds on which Dr Gregory has, in his Defence, attempted to confine his denial of knowledge to one part of the said resolution of the 5th of February, and to reconcile the inconsistency between his declaration upon oath, and the matter of fact in regard to the information which he had received, are altogether unsatisfactory.

In his Defence, he maintains, that his denial could rationally be applied only to such part of the said resolution of 5th February 1805, as implied a difference of opinion between him and the College respecting the principles of moral conduct, or imported a contradiction of what he had asserted in his printed papers; that the only part of the said resolution which implied such difference or contradiction, was that clause, declaring that the President and Committee had acted in the most honourable manner; and that the clause relative to their motives did not imply any such difference or contradiction, as he had never disputed the motives of the Committee being good, but, if present at the meeting, should have most cheerfully concurred in the declaration, that the Committee had acted from the purest or best motives, adding, that this was, *bona fide*, his opinion.

But the College must observe, that Dr Gregory's assertion, that he had never disputed the purity of the motives of the Committee, is notoriously contrary to truth; as Dr Gregory, in his printed papers, did, at great length, labour to calumniate the Committee, and degrade them in the opinion of the public, by representing them as having been actuated by motives and considerations, to which he applied the reproachful epithets of *selfish, sordid, unworthy, illiberal, mean, base, odious, and disgusting*.

That Dr Gregory's solemn oath and declaration refer directly and immediately to the resolution of 5th February, as described by Dr Duncan senior, without any explanation, that they were intended to apply to one part of that resolution only, and not to the

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the other ; and there is not a single expression in the course of Dr Gregory's very long letter, from which such an inference could be drawn. And they must farther remark, that as the declaration of the College respecting the motives of the Committee, was a direct contradiction of many assertions made by Dr Gregory in his printed papers ; as it implied as wide a difference, between him and the College, respecting the principles of moral conduct, and as it was as much a virtual decision against him, as the other clause, respecting the honourable conduct of the Committee, it was, even according to Dr Gregory's own principles, included in his denial of knowledge, which must therefore be considered as extending to *both* parts of the resolution of the 5th February 1805.

7thly, From all these considerations, it appears to the College that Dr Gregory's Defence is completely unsatisfactory ; that the information which Dr Gregory received from Dr Hamilton, respecting what was to be done at the meeting of 5th February, the reasons which Dr Gregory has stated for his absence from that meeting, and the knowledge which he admits that he possessed respecting that resolution, as well as those parts of it called by Dr Duncan senior the virtual decision, are completely inconsistent with, and contradictory of, his broad and comprehensive denial of knowledge, and his solemn declaration and oath above referred to, and that Dr Gregory has of course been guilty of a direct and deliberate violation of truth.

The College have therefore adopted the whole of the Resolutions moved by Dr Hope, altered as above mentioned, and feel themselves called upon to declare, that they consider such conduct, on the part of Dr Gregory, to be highly immoral, and deserving the reprobation of the College ; and they do accordingly express their reprobation of the same, along with their regret and mortification, that any one of their body should have acted so as to call forth an animadversion and censure of this nature.

The College also adopt the recommendation of the Council, and do hereby express their strongest disapprobation of the manner in which Dr Gregory has endeavoured in his Defence to obscure the subject, by involving it in an immense mass of irrelevant matter ; of the numerous misrepresentations of various facts and circumstances well known to the Members individually, of the unfounded insinuations and calumnies contained in that Defence, and of the coarse, rude, and even sometimes grossly indecent language in which it is written.

S E C T.



## S E C T. IV.

The preceding Minute affords ample proof of the attention bestowed by the College upon the investigation of this charge against Dr Gregory. Every indulgence with regard to time for preparing his Defence had been allowed him, and every circumstance which could be urged in his favour was patiently listened to. When it is known, that nearly twelve hours were occupied in the discussion of the subject on the 13th of September; that each Member who voted for the Resolutions gave a detailed statement of the reasons for his particular vote, and that they were all aware that a vote of censure for a deliberate violation of truth, in a solemn declaration and oath before God, upon a person in Dr Gregory's public situation, and who had impressed the world with a high opinion of his veracity and his integrity, must be received by the public with a very considerable degree of surprise, it cannot be doubted that every one of them felt convinced, that not only the honour and dignity of the College, but also his own individual character, were implicated in the justice of the decision.

The inducement Dr Gregory had to commit so gross a violation of truth was not at first very obvious; but the proof of the fact being clear, and totally independent of all circumstantial evidence, it seemed unnecessary to enquire into his motives. As, however, Dr Gregory has called upon the College to assign some motive for such an offence, they may observe, that he himself has furnished a key, which seems to fit pretty exactly.

He maintains, both in his long Letter and in his Defence, that the College, by their resolution of February 1805 in favour of the Committee, pronounced him to be either the greatest knave and the most impudent liar in the country, or absolutely insane; and as his Brethren had not got him secured in a strait waistcoat, he is disposed to give the preference to the former of these interpretations. In his Defence he asserts, that if he had known of the resolution, and had remained silent respecting it, it must have been considered, either as an acknowledgment that he was a knave and a liar, or as a proof that he was guilty of base and contemptible pusillanimity, unexampled in the history of the human mind. In order therefore to avert these very disagreeable and  
degrading

degrading constructions which he conceived might be put on his silence, it seems not unlikely to suppose that he found it necessary to account for that silence by solemnly denying that he had ever heard of the resolution.

If it be objected to this explanation, that no other than a man callous to all sense of shame could hazard a falsehood admitting so readily of detection, the College might refer to the preceding part of this Narrative for evidence, that Dr Gregory had disregarded all considerations of this kind; but he has rendered this reference unnecessary, for even in his Defence he has indulged in a variety of falsehoods, fully as gross as that for which he has been thus censured, and which are of still more easy detection.

Dr Gregory no doubt makes strong, and frequent, and violent professions of regard to truth and candour, and every moral virtue. But an examination of his late publications has confirmed the College in the opinion, that the prejudices and the passions of the man, have often proved too strong for the precepts of the philosopher and the moralist; in proof of which, they shall here give some further examples of the wide difference there is in this respect between the *Theory* and *Practice* of Dr Gregory.

Of his more recent violations of truth, the most prominent is his positive and solemn denial of having, in the Censorian Letter, in any degree blamed the *motives* which had led the Committee for the revisal of the Laws to propose the alteration of the By-law of 1754. This denial is not expressed in doubtful language, nor in terms which can admit of being explained or frittered away. It is repeated in various forms, and seems to be urged with extraordinary earnestness. Thus, he says, Defence, p. 25. "According to the declaration of the College, 5th February 1805, not only the motives of the Committee, or the end which they had in view, were good, which I believe no body ever disputed, and which, I am sure, that *I at least never did dispute*," &c.—"They could not relate to the declaration of the College, that Dr Spens and his Committee had acted from the best (or purest) motives; *for I had never said or thought otherwise*; and if I had been present at that Meeting of the College, I should have concurred in it most cheerfully," &c. *Ibid.* p. 101.—"I am sure, that with respect to myself, the difference of the import of the two articles of the virtual decision is so great, that only the latter can be understood as *any contradiction of what I had said* of the Committee and their proceedings,



proceedings, as any condemnation of my conduct, or as deciding that my printed papers were a false and scandalous libel. I am sure that I should *most cheerfully have concurred* in the declaration, that the Committee *had acted from the best (or purest) motives*, for this was *bona fide* my opinion; which opinion I remember distinctly to have expressed to two of my Brethren, who separately informed me (4th and 5th February 1805) of that article of the declaration of the Royal College. I have never changed, nor do I think I ever can change that opinion, being convinced that the motives of the Committee were pure and good; though I thought then, and still think, that there were other motives, of much higher authority, according to which they ought to have acted." Ibid. p. 174.

Now let the Censorian Letter bear witness, whether he has not declaimed most vehemently against *the motives* of the Committee.

"If it shall appear that all these things are said and done, without even the *pretence of any honourable motive* or liberal purpose, without the most distant view to the honour of our profession, the improvement of our Science, or the good of mankind, but purely in hopes of promoting the pecuniary interest of some of our own number;—What must be thought of us? Is it possible for human genius to contrive an expedient that shall more surely and effectually degrade us all?" Cens. Lett. p. 19. and 20.

"But when it is proposed to rescind such a law, notoriously and avowedly to serve the *private and pecuniary interest* of a few individuals, the successors of those who, for the most honourable and public spirited purposes, had enacted that law, the measure must be thought not only *absurd and unjust*, but *illiberal and disgraceful*. It is still worse, when those who think the law unfavourable to their pecuniary interest, and yet dare not propose *openly to repeal* it, endeavour to *evade* it, or *explain it away*. There is in this case a twofold *meanness or turpitude*; first, in *the end proposed*; secondly, in the means employed to accomplish that end. Our law of 1754 was not enacted to promote the pecuniary interest of the Fellows and Licentiates of our College, but for a totally *different*, and, in one respect, almost an *opposite* purpose,—to prevent our Licentiates, as our Fellows had previously been prevented, from promoting their own pecuniary interest, by means inconsistent with the *honour of our profession*, the *estimation of our individual*

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Members,



*Members, the advancement of our Science, and the good of mankind.* And now it is seriously proposed, to disregard all those honourable considerations,—to evade, or explain away, that is in fact to repeal that law,—and to permit and authorise our Members to consult, as they best can, their own pecuniary interest, even by those unworthy means, which their predecessors had most strongly reprobated.” Ibid. p. 14. and 15.

“ I shrewdly suspect also, that some of our younger Brethren, who are the keenest in this business, have committed one or two other oversights, from which a little more experience and knowledge of the world might have preserved them. They certainly must all know, for it is an old observation of the wisest of men, that “ he that maketh haste to be rich shall not be innocent;” but probably they are not all aware, that he that maketh most haste to be rich, does not always become rich the soonest. Few, few, have risen, and many have sunk, never to rise again, in public esteem, by *too great* and *too early* attention to their own pecuniary interest, and by indulging, even in youth, the *sordid selfish passions* of unhonoured age. This, *odious* as it must be in every profession, is peculiarly *disgusting* in ours, in which the private interest of the practitioner is totally different and distinct from that of mankind, and may too easily be set in opposition to it, in a manner not fit to be named.” Ibid. p. 36. and 37.

“ I wish and hope to see the question decided by our College, *purely* on the most *liberal* and *honourable principles*; and my intention in stating and discussing so minutely the *illiberal consideration* of pecuniary interest, was only to withdraw that veil, or dispel that mist, which alone, as I had reason to believe, prevented some of my Brethren from perceiving the nature and force of those honourable considerations which ought to determine their judgment and regulate their conduct. All of us are men, subject to the common passions and infirmities of human nature, of which the *auri sacra fames* is one of the *greatest*, and *worst*, and most common. It is too often “ the beam in our own eye, which we do not see,” but which does not prevent us from seeing, and “ trying to pluck out the mote that is in our neighbour’s.”

“ If I have done injustice to any of my Brethren by this surmise, it was not intended, and I am heartily sorry for it; but I trust they will forgive me, or at least, if I am mistaken, that they will have the goodness to set me right, when I solemnly declare,  
that

that it was *impossible* for me, after all the enquiries that I could make, and all the attention I could bestow on the subject, to form a different opinion or even conjecture," Ibid. p. 39. & 40.

Other passages of a similar tendency might be quoted, but the above sufficiently show the sentiments he has expressed on this subject.

As Dr Gregory must have been fully aware that *his strong reprobation of the motives* of the Committee could not fail to be well known, not only to his Brethren, but also to every one who had even glanced at his Censorian Letter, he must have foreseen, that so remarkable a falsehood, as that contained in his asseveration, *that he had never blamed the motives of the Committee*, and that he would cheerfully have joined his Brethren in declaring them to have been the purest or best, aggravated by the pledge of his *bona fides*, could neither escape notice, nor be suffered to pass without the severest reprehension. It must be admitted, indeed, that he had a strong inducement to violate truth in this instance, as the only attempt which he makes to show that his solemn declaration and oath before God was consistent with truth, fundamentally rests on his assertion, that he had never disputed the motives of the Committee, and that he had always thought them the purest or best.

The next instance of very gross violation of truth occurs in page 5. of the Defence. He says, "*I must add my most solemn declaration* with respect to two other propositions of some consequence in this discussion; which propositions, being negative, do not admit of direct proof, but which, I believe, will not be disputed by any of my Brethren.

"The first of these is, that with only one exception \*, and this one of no consequence in the great subject of discussion, no attempt has been made to point out to me any error, either in those things which in my Review and Censorian Letter I had stated

\* This single exception relates to a conversation with Dr Stuart, in which he pointed out to Dr Gregory his mistake with respect to one circumstance; and Dr Gregory allows that he had expressed himself respecting this too confidently and rashly; "but that very rashness or confidence," says Dr Gregory, "is a *proof* that I spoke and acted *bona fide* on that occasion!" *Vide* Defence, page 6. If, however, the conversation had not been interrupted by the presence of another person, it was Dr Stuart's intention to have pointed out, had he been inclined to listen to him, other errors besides this one, and these of much greater moment.



stated as matters of fact, or in those sentiments which I had expressed with respect to the principles of moral conduct, or in my mode of reasoning, and in the inferences which I had drawn from those things which I had considered and stated as matters of fact."

Though the proposition now quoted is supported by a *most solemn declaration*, it is nevertheless inconsistent with truth. Dr James Buchan, who had gone abroad some weeks before the Review and Censorian Letter were published, was in Edinburgh, upon a short leave of absence, in May 1807. Upon the 23d of that month he had a long interview with Dr Gregory, and on that occasion pointed out to him various errors in point of fact, and various misconceptions, misrepresentations, and unfair inferences contained in these Pamphlets. Dr Buchan had wished to state those points to Dr Gregory at a meeting of the College on the 19th of May 1807, but the President prevented him from proceeding, as the College at that time persisted in declining to hear any observations upon the Review and Censorian Letter. Dr Buchan detailed the heads of the conversation he had with Dr Gregory to Dr Spens and to Dr Duncan junior, immediately after it took place, and also to other Members of the College. Dr Spens, who had at the time committed to writing the particulars thus communicated, transmitted to Dr Buchan, then at Gibraltar, a copy of the above solemn declaration, extracted from the portion of the Defence delivered to the College in February 1808, along with a memorandum of the points in Dr Gregory's printed papers, with regard to which Dr Buchan had attempted in that conversation to set Dr Gregory right. The College have before them Dr Buchan's reply, in which he confirms the statement that he had that conversation, and that Dr Spens's memorandum contained, to the best of his recollection, the outlines of it. *Vide App. N<sup>o</sup> IV.*

The violation of truth to be next noticed, relates to Dr Wright. It occurs in p. 369. of Defence. Dr Gregory, in discoursing on the evidence given by Dr Wright, in his examination on the 19th December 1807, prints several questions which he had put to Dr Wright, and in allusion to them, observes, "But I was not quite so fortunate, in the contriving and expressing of those questions, as I had been with respect to some others, which I proposed to Dr Wright. *He declined to answer them. Even this declining,*



*declining* seemed to me to imply a great deal, nay, almost all that I wished him to have declared in presence of the College." Of these questions, five in number, which it is thus said he declined to answer, Dr Wright did actually answer four, and some of them in a manner quite contrary to Dr Gregory's wishes. One of these, with its answer, it is worth while to insert. *Question by Dr Gregory* :—" Was that part of the declaration of the College, that Dr Spens and his Committee had acted in the most honourable manner, understood by Dr Wright to be only a temporary expedient, to save the feelings of Dr Spens and his Committee, and to restore peace to the College?" *Answer by Dr Wright* :—" I did *not* understand it in that light."

After asserting, that Dr Wright declined to reply to a question which he answered so explicitly, and imputing to him an opinion directly the reverse of what he had actually expressed, and after much sophistical reasoning upon this false foundation, Dr Gregory adds, " I firmly believe that *these were*, and to *this hour are*, the sentiments of *many others* of my Brethren, who concurred in the *declaration*; nor *can* I believe otherwise of any of them, till they shall explicitly declare the contrary, viz. that the *declaration* was *not* a temporary expedient, employed on a very urgent occasion, to serve that particular purpose which I supposed, and have specified, Defence, p. 370." And again, in page 372, " I conceive it therefore to be, with respect to my Brethren, the most candid and favourable supposition, and, with respect to myself, the safest course, to extend to all of them that notion, *which I firmly believe to be true* with respect to Dr Hamilton and Dr Wright, viz. that the declaration was but a temporary expedient."

Another of these is an allegation much insisted upon in the Defence. In pages 56, 102, 140, 452, &c. Dr Gregory, without hazarding the direct assertion, falsely, though cunningly, endeavours to impress his readers with the belief, that the Committee withdrew that part of the report which relates to act 1754, in consequence of his severe reprehension of their conduct, and of the measures proposed by them, as if they were conscious that they had acted dishonourably, and merited the censure bestowed on them in his printed papers. Defence, page 5. Dr Gregory says, " And lastly, I can *prove*, that they two, Dr Spens and Dr Hope, in these very remarkable circumstances, desisted from their project, at least

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*pro tempore*, and asked and obtained permission to withdraw their report, and reconsider it; and withdrew it accordingly, and gave it in again to the College, suppressing all those parts of it which I had reprobated as breach of faith, chicanery, and falsehood: which proceeding on their part, I considered as explicitly retracting what they had improperly declared, and tacitly admitting the truth and justice of what I had said of their proceedings."

The fact, however, is, as has already been stated, that the Committee, about the middle of December 1804, before Dr Buchan left Scotland for foreign service, and long before they knew or suspected that Dr Gregory was preparing for publication, formally came to the determination of asking permission, at the next quarterly meeting, to withdraw those parts of their report which were likely to divide the College.

It has been already stated, that Dr Gregory was informed of this determination many weeks before his publications appeared, and even before many pages of the Censorian Letter were written, (as the date of the 13th December 1804, affixed to the 8th page, abundantly proves), first, in general terms, by Dr James Home, who had attended the meeting of the Committee when the determination was entered into, and afterwards by Dr Hamilton senior, at the express request of Dr Spens, then President. The correctness of that information has been fully confirmed to him since his Review and Censorian Letter were published, both in the minutes of the College of the 5th of February 1805, and by Dr Buchan on the 23d of May 1807, in the long conversation already alluded to. His papers, therefore, had no concern, and could have no effect on the determination of the Committee; and the credit which he takes to himself on this account, as well as his assertions upon the subject, he must have been conscious, were all equally destitute of foundation. It would be difficult to decide, whether the conduct of Dr Gregory, in publishing his injurious papers after he knew that the measure to which they related was relinquished, or in representing that relinquishment as the consequence of his publication, be the more reprehensible.

Had all the falsehoods already noticed been effaced from the memory of his injured Brethren, the following must have sufficed to have established the point now under illustration; for it is morally impossible to suppose that Dr Gregory could flatter himself with



with the expectation that this could escape due animadversion in the Royal College. He accuses Dr Hope, p. 111. and 112. of Defence, of having substituted certain words of his own, instead of the expressions of Dr Gregory, in the resolutions which he moved on the 5th of December 1807.

“ I never could have supposed that any person would have attempted, or pretended to extend the meaning of my solemn declaration and oath, beyond what I had expressly said, or substitute, as Dr Hope has done, for my precise expression, *that proceeding*, (previously explained to mean the condemnation of me, and a strange difference with respect to the principles of moral conduct), the general vague comprehensive expression, *those proceedings*, *innuendo all the proceedings* of the College on that occasion.”

This alleged substitution is, *in all its parts, an absolute and complete fiction*. The expression, *those proceedings*, which Dr Gregory accuses Dr Hope of having interpolated, *actually does not*, and *never did exist in the resolutions moved, from beginning to end*.

In other places, p. 134. he accuses Dr Hope of having substituted the expression, *their proceedings*, instead of the precise words, *that proceeding*. This imputation is not better founded than the other. Dr Hope has most faithfully and accurately transcribed the precise words of Dr Gregory's letter, and has nowhere substituted any expressions of his own. In the preamble to the third resolution moved by Dr Hope, the words, *their proceedings*, do occur as follows. “ 3d, That Dr Gregory, in the same letter, uses the following language, in regard to his ignorance of their proceedings on the said 5th of February 1805.”

In this passage the expression, *their proceedings*, is most correctly used, and no other expression could have been used with equal propriety. It is not given as a quotation from Dr Gregory, or as expressing to what extent he had professed to be ignorant of their proceedings, but merely as introductory to the quotation from Dr Gregory's own letter, which is given *verbatim*, and is left to speak for itself. In the conclusion drawn from Dr Gregory's words, the term *that proceeding* is invariably employed.

Such are the imaginary misquotation and substitution which Dr Gregory, with the certainty of confutation staring him in the face, has imputed to Dr Hope, and of which he speaks in the following terms. “ I protest peremptorily against all such tricks, and all proceedings founded on them, as deliberate falsehood, and determined knavery.

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Can it be credited, that while incessantly boasting of his own fidelity in quotation, and while thus indulging in groundless accusations against others, calculated to create distrust in the extracts which had been quoted from his long letter of 2d November, as containing the proofs of the violation of truth, of which he was accused, (and has been found guilty), he has himself printed in his Relative Documents an *imperfect* copy of that letter? Yet such is the case. *He has actually left out the part of it to which his solemn declaration and oath referred, and upon which the proof of his having violated truth in that solemn oath principally rests.*

The passage thus omitted is: "But he is not welcome to say, or to insinuate, as he has done in that printed paper, that I knew of the College having passed that Resolution, or Declaration, of February 1805, virtually deciding, (as he calls it), that my Censorian Letter was a false and scandalous libel, implying, that I had shrunk from any inquiry into my conduct in that business; that I had not chosen, or had not dared to vindicate what I had done; but had in a manner pleaded guilty, by allowing judgment to go against me, by default, in my absence; for the direct contrary of all these insinuations and implications is the truth." (*Vide Rel. Doc. p. 98.*)

By this omission his solemn declaration and subsequent assertions become unintelligible, and, at the same time, the evidence of his violation of truth is rendered very imperfect. A few days after the Defence had been given in to the College, Dr Gregory sent a printed postscript, the professed object of which was, to correct a mistake, (not that misrepresentation noticed in p. 68. & 69. of this paper), which he had committed in commenting on the evidence of Dr Wright; but in that postscript he has made no allusion to the omission of the above remarkable passage. His letter, of which it formed a part, extended in manuscript to sixty-four pages, and every word of it, excepting that essential part of the evidence against himself, is accurately and faithfully printed. Can it be supposed, even for a moment, that this circumstance could have been accidental?

These proofs, thus resting upon his own acts and writings, not only establish, beyond the possibility of contradiction, the position, that neither the facility of detection, nor the certainty of exposure,

exposure, have deterred Dr Gregory, when he had a purpose to serve, from asserting what is contrary to truth, and from pledging his *bona fides* in support of his assertion; but must also remove all surprise at his having been found guilty of a violation of truth in a solemn and spontaneous declaration and oath.

When it is considered within what narrow bounds the charge against Dr Gregory lies, it must appear at once to every reader, that there could be no occasion for so enormously voluminous a Defence as that which he has printed and distributed. Indeed, the circumstance of its extraordinary size affords the strongest presumptive evidence, that he found himself unable to bring forward any clear and satisfactory arguments, to shew that he had not been guilty of the deliberate violation of truth imputed to him, and chose on that account to involve it in a cloud of words.

Accordingly, as has been already stated, he has in that huge volume kept the real question as much as possible out of view, and has employed a variety of artifices to decoy the attention of the reader from the point at issue; so that, in fact, it is almost impossible for any one to discover, from a perusal of what he calls his Defence, the real nature of the charge against which Dr Gregory had to defend himself.

Under the pretence, too, of giving an account of his whole conduct towards the Royal College, he has, in this new appeal to the Public, taken the opportunity of repeating, in language of increased virulence, the calumnies of his Censorian Letter; of representing himself as the only Member of the College who has any pretensions to talents, veracity, and honour; and of pouring forth the most intemperate abuse on the whole College.

A detailed exposition of all these circumstances would fill a volume of equal size with his own, and on that account, and because the preceding Narrative must have brought into view so much of Dr Gregory's character, as to defeat his abuse and calumnies, the College deem it necessary to notice only a few of the most striking parts of that enormous volume. They begin with the misrepresentations of the nature of the charge.

The first of these occurs in page 2d of his Defence. He there asserts, "That he stands accused of *knowing* and *acquiescing* in the resolution of February 5. 1805." To refute this pretended accusation, he devotes by far the greater part of his defensive arguments, the whole of his logical disquisitions, his dilemmas, syl-



logisms, and enthymems, &c. No such allegation, however, was ever brought against him. No individual within the College, and none without, so far as is known, has ever expressed any opinion of his acquiescence or non-acquiescence; and from the resolutions themselves, it is evident that it formed no part of the charge against him.

This misrepresentation of the question at issue is not only calculated to mislead, but is also designed to impose upon the reader, by furnishing grounds for a plausible argument of moral, internal, and circumstantial evidence in his favour. Thus in page 428. he has founded upon it a dilemma, viz. That his Brethren, *when they believed that he had acquiesced* in the resolution of February 5. 1805, must have supposed that he did so, "either believing and knowing that their declaration was true, or else not believing it, but knowing that it was false." After shewing, as he alleges, that the former of these propositions is impossible, he asserts, p. 431. & 433. that the latter is not only false, but utterly incredible; and adds, "In the course of a long life, I have never known any person act in such an absurd and disgraceful manner; I have never even heard or read of such conduct." "Above all, if, in *my* conduct through the whole course of my life, they have known *any instances*, or even *one instance* of such baseness, and folly, and pusillanimity, I heartily wish they would declare it, and they ought to do so. It will tend greatly to convict me, and to vindicate themselves." Def. p. 432.

It is scarcely necessary to remark, that the premises of this dilemma are *altogether false*; for, as has been already positively declared, his Brethren never *alleged* that he had *acquiesced* in the resolution of February 5. 1805.

With respect to the strong appeal to his own conduct through life, contained in the preceding quotation, Dr Gregory has been peculiarly unfortunate. He could not surely suppose, that his Brethren were ignorant, that he had been found guilty of defamation, highly injurious to the moral and professional character of one of his late Brethren, and punished by damages, fine, and expences, by a verdict of the Commissary Court. An appeal was open to the Court of Session and to the House of Lords, but he acquiesced in that decision. Now, according to his own mode of reasoning, he must have acquiesced in the decision of that Court, either knowing it to be true, or knowing it to be false.

If



If he acquiesced in it, knowing it to be true, it was acknowledging that he had been guilty of slander and defamation. If he acquiesced in it, knowing it to be false, he furnished that precise "instance of baseness, and folly, and pusillanimity," which he defied his Brethren to produce.

A second misrepresentation is, that he is accused of having denied the knowledge of *all and every part of the proceedings of the College on the 5th of February 1805*. The College, upon that day, went through various other business besides passing the resolution in vindication of the President and Committee; but it was never surmised, that he denied the knowledge of any other proceeding than the resolution itself.

Another misrepresentation is, that he never denied his knowledge of the resolution *in toto*, but had always been ready and willing to acknowledge that he was acquainted with *two parts of it*.

So far, however, is this statement from according with the fact, that when Dr Duncan senior, on the 5th November 1806, turned up the Minute-book, and pointed out to him the record of the resolution, he showed no readiness to admit, and did not intimate or express in any shape, that he knew any part whatever of that resolution: on the contrary, to the recollection and understanding of the College, he then declared, that he never before had heard any thing of it. Again, Dr Duncan senior, in the printed paper distributed six months thereafter, contends, "that it could not be supposed that Dr Gregory had remained long ignorant of that unanimous resolution." If he had been willing to acknowledge how much he knew of it, his observations on that paper afforded him the most favourable opportunity of doing so; but so far from admitting that he was acquainted with two of its three articles, he actually, in the most unqualified terms, deliberately, and in writing, denied all knowledge of that unanimous resolution. The admission was not made till after he had been much pressed by Dr Hope's strong and keen observations on the extreme improbability, if not impossibility, of his remaining ignorant of that resolution for one year and nine months, and not, as has been already mentioned, till the danger from persevering in the protestation of complete ignorance was greater even than that arising from the admission, seeing that he sat next to Dr Wright, one of those Members

from whom he had received information, and on whose discretion he might not think it prudent to rely.

The admission, therefore, extorted from Dr Gregory, so far from tending to his justification, is a principal part of the strong and decisive evidence of the previous violation of truth. The loud and involuntary exclamation of unfeigned surprise and indignation which burst from different Members, as soon as this extraordinary admission, after being twice repeated, was distinctly heard and understood, testified the instantaneous and strong conviction of the deliberate violation of truth which that admission disclosed.

After this unfortunate disclosure, perceiving, it should seem, no other way in which he could preserve even the appearance of consistency, he artfully substitutes a part for a whole, and calls the third article of the resolution, the resolution itself, trying, by this quibble, to satisfy what he calls his honour and conscience, in declaring that he had *no knowledge whatever of the resolution*. And he shall satisfy the College, when he has proved that the whole and the third part of the resolution are precisely one and the same thing.

Another misrepresentation is, that the question between him and the College was altogether of a metaphysical nature; and that if they should find him guilty of falsehood, it must be upon metaphysical grounds. This gives him an opportunity of schooling the College, by introducing an episode on Metaphysics, occupying not fewer than threescore pages of his Defence, page 150, &c.

In this long disquisition, his object is to make it appear, that the proof of his having violated truth rests entirely on the abstract or metaphysical question, whether a declaration, that a person had acted from the purest motives, be equivalent to a declaration, that his conduct had been honourable.

But the real question, upon which the College have decided, has nothing to do with any metaphysical argument or doctrine, however industriously he may attempt thus to represent it. It is simply this, whether Dr Gregory told a truth or a falsehood, when he solemnly denied *all knowledge whatever* of the resolution of the College for one year and nine months.

The metaphysical discussion is introduced in the hopeless expectation of getting rid of a most perplexing embarrassment, in which even his own mis-statement of the case leaves him involved, and which, to some of those who are fond of such disquisitions, may



may appear perhaps nearly as flagrant a violation of truth, as that which is the object of the censure and reprimand of the College. This was forcibly urged in the meeting of the College, on the day when the detection of the falsehood took place. In consequence of his admitting, that he had actually been informed of the two first articles, it was argued by some of the Members, that if he had not heard the precise words, he had certainly been made acquainted with the spirit of the whole resolution; and knowing so much as he did, that he could not, consistently with truth, have taken a solemn oath, that he could never have suspected or imagined, or even have believed it possible, that the College could have declared the conduct of the Committee to have been honourable.

The pitiful subterfuges to which he at the moment resorted, have already been mentioned. He averred, that he considered the resolution, as he says it was reported to him, *as a delicate censure*; and that the expression of the College, namely, that the Committee had acted from the purest motives, *might mean the pure love of money*.

In the Defence he enters more deeply into the argument; but he is forced, in his own justification, to maintain doctrines of the most extravagant nature, and from which the feelings and the common sentiments of mankind equally revolt. The sum of this extraordinary reasoning is, that the perfect purity of a man's motives, in no degree denotes his actions to be honourable: that the purest motives may lead to the most dishonourable actions, or even to the most atrocious crimes: and therefore, though he knew that the College had declared the motives of the Committee to be the purest (or best), he could, without violating truth, swear, that he could never have suspected, or even have believed it possible, that the College could have declared that they had acted in an honourable manner; nay more, that though he had reprobated the conduct of the Committee, as highly immoral and dishonourable, he could, without inconsistency, and actually would cheerfully have joined in a vote of the College returning them thanks, and asserting the perfect purity of their motives. On the soundness of these opinions, and on their consistency with the general principles of morals, he ventures to rest the merits of his Defence, and hesitates not to affirm, that by this criterion it must be decided, *whether or not he shall stand convicted of falsehood and knavery*.

Though



Though there is little reason to suppose, that the utmost ingenuity can ever render such a doctrine plausible, yet Dr Gregory, in a long dissertation, has, with the assistance of sophistry and rhetorical finesse, had the boldness to make the attempt.

In prosecution of this attempt, he first endeavours to misrepresent the sentiments which had been expressed in the College, and to exhibit the sound moral doctrine conveyed by them, as an old unhallowed maxim, to which it bears no resemblance, viz. that the end sanctifies the means. Having done this, he declaims at great length, with much violence, against this supposed heresy.

The doctrine maintained by some of the Members was, that it is the motive which stamps the character and gives the moral denomination to the action: that the same action is honourable or dishonourable, according to the purity or baseness of the motives which dictate it, and consequently, that the College could not, without being guilty of the grossest absurdity, have declared their conviction that the Committee had acted from the purest motives, if they had believed that they had acted in the dishonourable, immoral, and unprincipled manner alleged by Dr Gregory.

It is scarcely necessary to state, that this is the doctrine of the world at large, and of every eminent writer on morals. It is the only doctrine which accords with the general sentiments and feelings of mankind. Dr Reid has expressed it well in a few words. "—In all moral estimation, every action takes its denomination from the motive that produces it;—no action can be properly denominated an act of justice, unless it be done from a regard to justice." (Essays on the Active Powers of Man, Ess. V. Ch. V.) How astonished would this venerable writer have been, had he lived to have seen this axiom in morals treated as the unhallowed and roguish maxim, "That the end justifies the means;" a maxim which no Member of the College ever supported or thought of, and which probably can be found no where but in systems of jesuitical morality!

His next device, is to alter the terms of the question. When discussing the point, whether that part of the declaration of the College, "that the Committee had acted from the purest motives," which he admits he knew, necessarily implied that their conduct had been honourable, he silyly substitutes *good*, for *purest* or *best*, and adds to the term honourable, the only one used in the resolution,

solution, the terms of *right* or *meritorious*, though of a totally different meaning and import, and then confidently maintains, that a person acting from good motives may perform actions that are not honourable, right, or meritorious. This piece of finesse cannot avail him much; for though the position, as thus stated, is unquestionably true, since no one can deny, that a man, under the influence of pure motives, may, from ignorance, folly, or prejudice, act in a manner that is neither right nor meritorious, and in a manner highly inexpedient, or perhaps extremely foolish: yet this is totally different from the case in question. The College expressed no opinion whether the conduct of the Committee was expedient, or right, or meritorious; they only pronounced it to be perfectly honourable; and that conduct must surely be such, however inexpedient or imprudent, which is produced by a motive that is perfectly pure.

Those who learn from his Defence, that Metaphysics have been the amusement of a great part of his life, will perhaps be surprised at the doctrine, which he maintains at great length, that the purest motives may lead to the most dishonourable actions, or even to the most atrocious crimes; and that a motive which in one degree is pure and good, remains pure and good in every degree, even though opposed to motives of superior weight and consideration. The love of pleasure, the love of power, the sterling love of money, the love of fame, of life, the desire to preserve a fair character, &c. are stated by him as motives unquestionably good; and such they are in their proper place and degree; but he maintains, that they are still to be accounted good, though possessing such excessive influence, as stifles every natural affection, extinguishes all sense of religion, and incites to the most atrocious and detestable crimes.

Upon this principle, he hesitates not to affirm, in so many words, that the cruel mother who, to conceal her shame, barbarously murders her own child, acts from the purest or best motives, i. e. the laudable desire to preserve a good character: That the Surgeon or Midwife who perpetrates the crime of destroying the unborn infant, also acts from motives unquestionably good, as the love of money, and the desire to earn professional fees, are good and laudable: That J. J. Rousseau, in contriving to escape detection for an act of theft, by artfully and successfully imputing it to an innocent servant-maid, acted from a pure and good



good motive, viz. the natural and reasonable desire to preserve his own character, and to escape punishment : That the French Prince who, to show his skill as a marksman, deliberately aimed at, and shot a man whom he chanced to see on the top of a chimney, committed that atrocious crime from a pure motive ! Defence, p. 154. &c.

The shallow sophistry of this doctrine might well be treated as truly ridiculous, did not its atrocity call for the most severe reprobation, especially in one who has laboured to traduce his Brethren, as if they had adopted and acted individually and collectively on immoral principles. When plainly stated, it amounts to this, that there can be no such thing as a bad motive in any case whatsoever. No rational accountable being ever performs any action, be it ever so bad, but with a view to his own happiness or gratification. This therefore is the universal single motive of the basest of all human deeds ; and is yet in itself, according to Dr Gregory's way of reasoning, a motive unquestionably good. When a highwayman takes a purse, for instance, for the mere love of pecuniary gain, he acts from a pure motive ; and when he blows out the traveller's brains, to save his own neck, he acts from the purest or best motives !

The key to this paltry sophism is perfectly obvious. " Self-love, or, in other words, the desire of happiness, is an object neither of approbation nor of blame \*." It is indeed a principle perfectly pure, i. e. innocent and honourable, when kept within due bounds ; but when it becomes a ruling passion, or the sole and ultimate end, it leads us to violate the rights of others, and to subvert every moral obligation. Whether, therefore, it appear in the form of love of money, of pleasure, or of fame, if it produce base and dishonourable actions, it is a gross and impudent abuse of common sense, as well as of common language, to say that it is a pure or an honourable motive of human conduct.

If the vote of the College, February 5. 1805, had been framed on Dr Gregory's ideas, it must have been thus expressed : " The College taking into consideration the concern which the President and Committee have had in the late revisal of the laws, and the great trouble and attention they have bestowed on this, are of opinion, however different the sentiments of the different Members  
may

\* Outlines of Moral Philosophy by Mr Dugald Stewart, § 393.



may be upon that subject, that they have acted from the purest motives. At the same time, they think their conduct has been most dishonourable, infamous, and immoral, and reprobate it as such;—but still they judge, notwithstanding, that they well deserve the thanks of the College, which they request the Vice-President to give them; and they appoint this resolution to be engrossed in the minutes.” It would be consistent in Dr Gregory to say, that upon the ground of such a transaction by the College, he could not have accused them of being *knaves*; but it would have required more than his ingenuity to have shown that they were not consummate *fools*; and 500 pages of the most plausible reasoning would not have been sufficient to have prevented the world from judging and treating them as such.

If Dr Gregory has found it necessary to seek refuge from a charge of falsehood, in doctrines so repugnant to the sentiments and feelings of mankind, it is easy to perceive, even according to his own state of his case, how desperate he must have felt his situation.

It is more than probable, however, that there does not exist a single person, who, after considering the matter, will believe that Dr Gregory spoke with good faith and sincerity, when in his Defence he affirmed, that he would cheerfully have joined in a vote thanking the Committee for the trouble they had taken in revising the laws, and declaring that they had acted from the purest motives, while he reprobated their conduct as unworthy, immoral, dishonourable, &c.; or who will believe that he could, without violating truth, make the solemn declaration and oath before God, that he could not believe it possible that the College had declared the conduct of the Committee to be honourable, though he knew that they had returned thanks to them, and borne testimony to the perfect purity of their motives.

His commentary on the Resolution of February 5. 1805 is the next part of the Defence to be noticed. This Resolution he has chosen to interpret in a variety of strange ways. In one part, he endeavours to make it appear, that the Members of the College were *not sincere* in the sentiments which their Resolution contained, and that they had, one and all of them, been guilty of *a solemn and deliberate act of falsehood*, merely to save the honour and sooth the feelings of Dr Spens and the Committee, smarting under the lash of his reprehension.

The College cannot think it necessary for them to give any assurances of the sincerity of their sentiments, expressed in the Resolution of February 1805. The re-election of Dr Spens as President for the *third* time, and the unanimous vote of thanks to him when he left the chair, render any further declaration or reference to their vote of adherence on the 24th November 1807 altogether superfluous.

Dr Gregory has employed above fifty pages of his Defence, p. 265. *et seq.* in a disquisition on the nature and import of that resolution, and has chosen to express his arguments on this subject in the technical terms of logical disputation. This, no doubt, serves a double purpose ;—it displays his scholastic learning, while it enables him to mislead the generality of readers. The formality of a syllogism, and the semblance of demonstration which it holds out, are well calculated to impose on those who are not at all, or but little accustomed to that mode of reasoning. And as it is easy to introduce “ some specious fallacies under the awkward *verbosity* of this artificial method \*,” it has been banished from all inquiries, whether in moral or physical science, where the investigation of truth is the object. A very slight examination of the syllogisms which Dr Gregory has stated as containing the propositions of his Censorian Letter, and of the Vote of the College in vindication of their injured Brethren, must convince every one of the appositeness of these observations in the present instance.

“ The general position,” says Dr Gregory, “ asserted by me in my printed papers, with respect to the conduct of the Committee, is so plainly contradictory of the *virtual decision*, the declaration of the College that they had acted in the most honourable manner, that to assert the one is to deny the other, and *vice versa*. The same is true with respect to the *major* and the *minor* of each of them respectively ; supposing each of them to be resolved into a regular syllogism, the conclusion of which, in the one case, would be the *virtual decision*, and in the other case would be my general proposition.

“ The syllogism of the Royal College would stand thus :

“ *Major*. Men who employ deliberate falsehood and chicanery to accomplish, and at the same time to cloak, a determined breach of faith, act in the most honourable manner.

\* See Campbell's Philosophy of Rhetoric, vol. 1. p. 145.

“ *Minor*.



“ *Minor*. The Committee (appointed by the Royal College in 1804 to revise our laws) employed deliberate falsehood and chicane to accomplish, and at the same time to cloak, a determined breach of faith.

“ *Conclusion*. Therefore the said Committee acted in the most honourable manner.

“ My syllogism, on the other hand, would stand thus :

“ *Major*. Men who employ deliberate falsehood and chicane to accomplish, and at the same time to cloak, a determined breach of faith, do not act in an honourable manner.

“ *Minor*. The Committee employed deliberate falsehood and chicane to accomplish, and at the same time to cloak, a determined breach of faith.

“ *Conclusion*. Therefore the Committee did not act in an honourable manner.” Def. p. 266. & 267.

With respect to the former of these syllogisms, which he calls that of the College, it is only necessary to place it in opposition to the Resolution, to show that it not only does not contain, but that it is completely at variance with the propositions of that Resolution.

#### *Syllogism.*

Men who employ deliberate falsehood and chicane to accomplish, and at the same time to cloak a determined breach of faith, act in the most honourable manner.

The Committee (appointed by the Royal College in 1804 to revise our laws) employed deliberate falsehood and chicane to accomplish, and at the same time to cloak a determined breach of faith.

Therefore the said Committee acted in the most honourable manner.

#### *Resolution.*

“ The College having taken into consideration the concern which the Committee have had in the late revisal of the laws, and the great trouble and attention they have bestowed on this, are of opinion, however different the sentiments of the different Members may be on that subject, that they have acted from the purest motives, and in the most honourable manner, and that they well deserve the thanks of the College.”

From this contrast, the reader can judge for himself, whether Dr Gregory has resorted to the syllogistic method of reasoning in this instance, for the purpose of displaying the truth in a clear point of view, or of perverting and distorting it.

As to the second syllogism, or that which he calls his own, and which he asserts to be “ valid in *all* its parts,” no person in his sober senses would dispute the *major* of it. But with regard to



the *minor*, which expresses in a condensed form, the calumnious charges which he published against the Committee, the College have already fully shewn, from p. 9. to p. 34. of this Narrative, that it is in every respect false. There is, however, an assertion made by Dr Gregory, when stating this syllogism, which, though also completely disproved in the preceding Narrative, demands particular notice, as, from the frequency of its repetition in his Defence, some readers might be staggered with it, and might still suppose it true, were it to be passed over without special contradiction. He says, p. (268.), "Which *minor* I have deliberately asserted, with a full specification of the particulars to which I alluded; and precise references to the records of the College and the report of the Committee, in proof of *every particular* which I had stated." In many other parts of his Defence, (p. 7, 23, 107, 271, &c.) he boldly avers, that his account of the conduct of the Committee for the revisal of the laws, *is faithfully taken from the records of the College.*

Of his numerous assertions contrary to truth, there is not perhaps one more barefaced than this, or more open to detection. A very brief recapitulation of the charges against Dr Spens. and the Committee will render this matter perfectly obvious. Has he the authority of the records of the College for asserting, that Dr Spens's motion in 1796, for the partial repeal of the act 1754, was ignominiously reprobated, was opposed by a great majority, or by any majority; and that it was permitted to be laid asleep, instead of being rejected, to save the feelings of Dr Spens;—that Dr Spens took the very first opportunity of his situation as President, to propose a revisal of the laws, that under this cloak he might accomplish a favourite project;—that for the same sinister purpose, he packed a Committee, and checked the debate at the second *nominal* reading of the report in November 1804? Has he the authority of their records for the assertions, that the report of the Committee was false from end to end,—that it was smuggled into the College, concealed from them, and put into circulation among the Members, for the purpose of counting noses;—that the Committee took the College by surprise, attempted to steal a march upon them, and to accomplish their purpose by chicane, deceit, &c. &c. and that they were determined to carry the measure through by force? Has he the authority of their records for asserting, that the act 1754 is a fundamental and indefeasible part of the constitution of the College,—that a repeal, or any alteration of that by-law,

law, is illegal, immoral, and a determined breach of faith;—that it was notoriously false that doubts were entertained about the meaning of that act? And has he the authority of their records for asserting, that the said Committee were solely influenced by the sordid, selfish, odious, and disgusting motives and considerations of personal and pecuniary advantage?

The College shall answer these questions. Dr Gregory has not taken any one of these particulars from the records of the College. They are altogether the fabrications, misrepresentations, and unfair and unjust inferences of Dr Gregory himself, who, therefore, it is evident, has, to use his own expressions, (Defence, p. 265. and 266.), “forged a number of the foulest calumnies that could be contrived, against some of his own Brethren of this College; most falsely and impudently pretending that he had taken them all from our own record, and from the report of a certain Committee of our own number.”

The abuse which he pours forth on the whole College for having passed the Resolution of February 5. 1805, is repeated without reserve in many parts of the Defence. He says, that as it was inconsistent with his strong and confident assertions, it virtually pronounced him to be either absolutely insane, or guilty of the most deliberate malevolent falsehood and determined knavery, and that the College were wonderful and incorrigible blockheads, if they did not perceive that import of it. Def. p. 182. In page 34. he says, that no Member of the College who did not wish to be knocked down, could have ventured to tell him of that resolution; and intimates, that he would have been justified in pistolling the unhappy messenger.

There probably is not on record an example of such perverse and quarrelsome arrogance, as is contained in these, and numerous other passages to the same purpose. Mr A chooses to express a decided and very extraordinary opinion of the moral or intellectual character of Mr B. Soon after, Mr C, without taking any notice of this, chooses to express a different opinion, and is immediately accused by A of having called him a knave and a liar! It is in vain that C reminds A that he said nothing about him, and that he had as good a right to express his opinion as another. No, answers A, I expressed my opinion first, and whoever differs from me in opinion, virtually calls me a knave and a liar, and must answer for it accordingly! Even where different opinions are  
expressed



expressed as to matters of fact, a man must, in most cases, be very arrogant or very irascible to take offence at them; but society would present nothing else than one scene of bullying and outrage, if any thing in the nature of a personal insult were understood to be conveyed in expressing different opinions as to the moral worth or wisdom of individuals. Mens passions and prejudices, and habits of thinking, and opportunities of knowledge, and attention, are so extremely different upon these subjects, that the most opposite assertions may be made with perfect good faith, and of course a contradiction given, without the remotest idea of imputing either falsehood or insanity to the antagonist. One can scarcely go into society without hearing the most opposite opinions expressed, of the merit or demerit, the honesty or capacity, of the great public characters of our own or other countries. But was it ever heard of before, that any one complained of being called a madman or a liar, because somebody or other had refused to concur in his opinion? Has any body, since the days of Don Quixote, insisted on quarrelling with every one who differed from him in opinion as to the charms of his Dulcinea? Dr Gregory's proceeding, however, is still more extravagant and preposterous. Because he has thought fit to arraign Dr Spens, and the other gentlemen of the Committee, as false, dishonourable, and illiberal characters, he insists, that no one in the whole world shall, in public or in private, express an opinion in favour of their worth or integrity. To call them honourable or worthy men, it seems, is equivalent to pulling Dr Gregory by the nose. Sir Lucius O'Trigger himself had not a more ingenious method of forcing people into a quarrel.

Had Dr Gregory laid his accusations (as he was bound in duty to have done) before the College, and not before the public, and had the College, instead of a general and detached vote of approbation of the conduct of the Committee, without once mentioning his name, or his papers, found, in solemn and express terms, that the accusations were altogether groundless, and that the accuser should be severely reprimanded for the intemperance and precipitation with which he had brought them forward; he could, even in that case, have had no sort of right to accuse the College of imputing insanity to him, or to complain of their sentence as a partial sentence against him. But, considering the forbearance with which the College proceeded, and that all they did was  
to



to express and put upon their record that opinion of the conduct and of the motives of some of their Members, which every one who knows those gentlemen must entertain, the fury of Dr Gregory's resentment cannot fail to excite a strange mixture of compassion, indignation, and contempt. On no better ground than this unanimous vote in favour of the Committee, in many parts of his Defence, he pours out a torrent of the most extravagant and outrageous abuse against the College. Thus, for instance, (p. 2, & 484.) he charges them with *abominable falsehood* and *determined knavery* for having passed that resolution; (p. 57, 64, 108), accuses them of *unexampled baseness*, and of the most *flagrant, gross, and foul injustice* towards him for having passed it in his absence; and finally, (p. 283.) he compares their conduct in passing, and afterwards adhering to it, to that of a parcel of *thorough-paced rogues, swearing off* their companion, when under trial at the Old Bailey, for the trifling offences of robbery and murder.

The College must consider these revilings as the impassioned effusions of an irritable, ill-tuned, and much agitated mind, approaching, alas! too nearly to a distempered one. They are so perfectly satisfied that every one, who impartially attends to the subject, will view them in the same light, that they conceive that any *formal* reply or explanation on their part would be not only unnecessary, but degrading.

But the complaint, that the resolution of February 5. 1805 was passed in his absence, and that he was *condemned uncited and unheard*, which he has so often repeated, and on which he has founded so much of his abuse against *all his Brethren*, requires to be particularly noticed.

In the *first* place, It has been already shewn, that he was not *condemned* by that resolution. It indeed contradicted his assertions respecting his Brethren, but it contained no allusion to him, further than what was implied in the approbation expressed of the Committee,—it involved no censure or punishment upon him, for having wantonly hazarded, and unwarrantably published those unfounded and injurious assertions. In this respect, he is now informed, a minority of his Brethren yielded to a majority, who, from feelings of delicacy towards one with whom they had for many years lived in habits of intimacy and friendship, were anxious to vindicate their injured Brethren, without provoking a personal quarrel with Dr Gregory.

*Secondly,*

*Secondly*, The assertion, that he was *uncited*, is so obviously false, that had not the reader been possessed of sufficient proofs of the facility and boldness with which Dr Gregory utters what is contrary to truth, he must have supposed it an error of the press. He has explicitly admitted, that he expected that some strong measure against himself was to be adopted at that meeting; that he absented himself from it on purpose, to leave his Brethren at liberty to discuss freely his conduct; that Dr Hamilton senior did inform him, that a vote was to be passed in favour or in support of the Committee; and that this information was in consequence of his desiring to know what the Council had agreed to bring before the quarterly Meeting on that day. He cannot, therefore, deny that *he knew* of the Meeting, and he has not pretended that he did not receive the usual billet of citation. *He not only was cited to the meeting, but he was also acquainted with the very business which was to be transacted at that meeting.* And with all this, he stakes his fame and his fortune on the *truth* of his assertions.

*Thirdly*, The allegation, that he was *unheard*, is still more preposterous. If the College had passed the Resolution of February 5. 1805, even before the Members had read his Review and Censorian Letter, a complaint of this kind must have come with a peculiarly bad grace, from one who had been guilty of such unparalleled conduct towards his Brethren,—who had, without giving any previous hint of his intentions, and without asking any explanation of what might seem unaccountable to him, not only *arraigned*, but absolutely *condemned*, in terms of the utmost virulence, the conduct of five of his Brethren,—who, assuming to himself the threefold capacity of accuser, jury, and judge, had really *condemned* them *uncited and unheard*. But the fact is, that every Member on the roll of the College had read carefully his Review and Censorian Letter, before the Resolution of February 5. 1805 was passed. And as Dr Gregory has never offered any other evidence or arguments in support of his accusations against the Committee for the revisal of the laws, than what those publications contain, it is fair to conclude; that all he could allege on the subject was inserted in those pamphlets.

Dr Gregory has also complained loudly, that the College, by passing the Resolution in his absence, deprived him of the opportunity of acknowledging any mistakes or errors which he might unintentionally have committed in his printed papers, and of making



making the most ample reparation in case he had injured any individual. This, it must be allowed, is a singular complaint from a man who has repeatedly declared, that his absence was voluntary and intentional, though he knew that a motion in favour of the Committee was to be brought forward.

It is not denied, that Dr Gregory has made a profusion of those offers of acknowledgement and reparation, with all the air of ingenuous candour; but the College cannot conceal, that they felt it impossible to give him any credit for these. Candour, openness, and wishes to make reparation for injuries, were not to be expected from that man who had misrepresented almost every transaction of which he has written,—who, in a business under discussion in the College, in which the President and a Committee were deeply concerned, instead of delivering his sentiments openly in their meetings, composed in silence, and printed in secrecy, a rancorous and outrageous attack, and delivered it to the world, without giving the smallest intimation of his intentions either to the College or to the parties concerned, and who represented his Brethren as prosecuting a determined resolution to carry through by force a favourite project, long after he had been informed that the measure was actually relinquished. Little hope of acknowledgement of errors could be entertained of him who had staked his fame and fortune upon the truth of his assertions, the validity of his reasonings, and the fairness of his conclusions. To use his own words on another occasion, “he had placed himself beyond the reach of argument or reason, and was pledged, not merely in point of understanding, but in point of veracity, to maintain his system,” his assertions, reasonings, and conclusions, “right or wrong, to the last.” Could any hope of change of sentiment in that person be entertained, who had declared, that no man durst tell him that he had joined in the resolution in favour of the Committee, unless he was prepared immediately to go out with him, or to meet the *argumentum baculum*? The very nature of the injuries committed by Dr Gregory, shewed that his offers of reparation could not be sincere, and that they were solely and entirely calculated to impress the world with the belief of his candour, or to lessen the disgust occasioned by his outrageous and intemperate conduct. Having deliberately committed injuries which he knew he could not redress, in such circumstances, his offer of reparation was adding insult to injury.

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Subsequent



Subsequent conduct has proved, that the College did not form an erroneous opinion of his unwillingness to acknowledge and repair the injuries he had committed. Dr Buchan made a direct attempt to convince him that many of his imputations were unfounded, and that many of his facts were inaccurate: and yet, in the immense volume which he has since printed, he has not only omitted to notice Dr Buchan's attempt to set him right, but has even repeatedly asserted what he must have known to be false, if he believed Dr Buchan to have spoken the truth.

In various places of his Defence, he asserts, that several of the Members of the College concurred in the sentiments he had expressed in the Review and Censorian Letter, respecting the conduct of Dr Spens, and the Committee for revising the laws. This assertion is absolutely false. There was not an individual who entertained such sentiments. Every Member on the roll attended the meeting on the 5th February, and joined in the unanimous resolution passed on that occasion.

Dr Gregory particularly mentions Dr Hamilton senior, as one of those who, he says, concurred in the sentiments respecting Dr Spens and the Committee, expressed in his printed papers. Dr Hamilton, however, has disavowed this in the most explicit terms. He, it is true, like some others, strongly disapproved of the measure proposed by the Committee, and so far agreed with Dr Gregory; but very soon after the meeting of November 1804, he took an opportunity of acknowledging to Dr Spens, the impropriety and injustice of an expression he happened, in a moment of warmth, to use on that occasion; and he has unequivocally lamented and condemned the publication of the Censorian Letter and Review, as well as the tenor of those pamphlets, more especially as the subject of difference had been given up by the Committee, information of which he had himself the satisfaction of communicating to Dr Gregory.

Many pages of the Defence are devoted to an account of the sentiments and conduct of Dr Hamilton senior, and of Dr Gregory's communications with him. Were the College disposed, or did they think themselves at liberty, to report private and confidential conversations, according to the ordinary practice of Dr Gregory, it is in their power to tell a very different tale. They content themselves, however, with stating, that Dr Hamilton senior saw and considered the resolution of February 5th 1805, previous to the day on which he attended in his place,

place, and voted for it, and of course, *previous to his calling upon Dr Gregory, to inform him, that a vote in favour of the Committee was to be moved*, and that he again attended the following quarterly meeting in May, when that resolution was sanctioned. His absentsing himself from the College since that time, cannot therefore be attributed, as Dr Gregory has thought fit to allege, to any disgust at his Brethren for having passed that resolution.

On the strange inconsistencies respecting what Dr Gregory has said of Dr Hamilton senior, the College are unwilling to make any detailed comments; but it is impossible to pass over his incongruous boasting of increasing intimacy and continued friendship with that gentleman, (*Defence*, p. 241.) while he complains (*Ibid.* p. 235.) of his having declined to appear in his place, to give testimony in what related to him, (Dr Gregory), though most earnestly requested by himself to do so,—while he states in language not remarkable for its suavity, (*Ibid.* p. 220.) his sentiments of any person that should be an unwilling witness in such a case,—and while he bestows the most intemperate abuse on Dr Hamilton, in common with the rest of his Brethren, for passing the resolution of February 1805.

Dr Gregory also asserts, that some others of the senior Members, besides Dr Hamilton, had desisted from attending the meetings of the College, being dissatisfied with the proceedings of their Brethren. It is true, that one or two of them have not been so regular in their attendance of late as formerly. The College, however, do affirm, that this has not arisen from any disapprobation of the proceedings, in which they had an equal share with the rest, both when the resolution in favour of the Committee in February 1805, and when the vote of censure on Dr Gregory in November 1806, were passed, but solely from the wish, as they have without hesitation declared, to avoid the unpleasant discussions occasioned by the turbulent conduct and insulting papers of Dr Gregory. Had Dr Gregory given a true account of the absence of these gentlemen, and had they approved of his previous conduct, it cannot be imagined that any of them would have absented themselves on the late occasion, so important to Dr Gregory, or that they would have withheld from him their *friendly* support against a charge of so deep a dye, had they thought him innocent.

Throughout the whole Defence, with a considerable degree of art, Dr Gregory endeavours to represent, that in the differences



between the College and him, his Brethren had been the aggressors, and that he is the person who has suffered injury. The feelings of contempt and indignation, which such representations must excite, can scarcely be expressed in temperate language. Can it be doubted, that, even if all the assertions contained in his Review and Censorian Letter had been correctly true, the publication of those pamphlets, after he knew that the measure which they were avowedly intended to prevent, had been relinquished, was an unprovoked, as well as an unjustifiable, assault upon his Brethren? And can that man, who must be conscious of having falsified records, distorted facts, and contrived fictions, for the double purpose of calumniating others and of exalting himself, have the slightest pretence to complain that he is an injured person? Under such circumstances, attempts to create an interest with the public in his own favour, by making himself, although the rude and wanton aggressor, seem the persecuted and aggrieved party, are beyond all measure ludicrous and contemptible.

In the Defence, as well as in his Review and Censorian Letter, Dr Gregory has also artfully endeavoured to represent the conduct of his Brethren as originating in *vile party spirit*, and as an instance of the most rancorous *odium medicum*.

The College, however, have much satisfaction in reviewing the history of their Society; and can with confidence assert, that, during the days of the present Members, no traces of that spirit can be found, before the dissemination of Dr Gregory's Review and Censorian Letter, in the beginning of the year 1805. In regard to these pamphlets, the sentiments of the College were unanimous against him. In the subsequent and more recent transactions, it is true, Dr Gregory has not stood alone; but he has not gained many partisans; for, with the exception of Dr Brown, his "coadjutor" in business, and who has joined the College since that period, he has been supported only by two Members, Dr Wright and Dr Yule.

Against warfare among medical men Dr Gregory has strongly and justly declaimed. The College join heartily in reprobating it, both as injurious to individuals and degrading to the profession at large; and they deeply lament that he has introduced it amongst them, where it would otherwise have been unknown. It will scarcely be supposed, however, that he is sincere and candid



candid in decrying this species of contention, since he is the only Member of the College who has shown any passion for it, and has indeed been constantly engaged in one quarrel or other of this kind for a long series of years. Already he has favoured the world with several ponderous volumes, containing little short of 2000 quarto pages, besides some minor publications, all devoted to rancorous controversy and strife: And certainly it is not a little disingenuous in him, to impute to others the commencement of the warfare, when, in fact, he has uniformly been the aggressor, and, in general, altogether a volunteer in the service.

Dr Gregory, in his Censorian Letter, p. 134. professes, that his conduct in the affairs of this College was regulated by the consideration which the influence of his example, as a Member of the University, and of the Medical School in it, might have on the rising generation.

If he had indeed been animated by a sense of duty to the rising generation, and by a real regard for the welfare of mankind, the College apprehend that they would have been saved the unpleasant task, which they are glad now to bring to a conclusion.

It is with much concern, that they are compelled to represent the Professor of the Practice of Physic in the University of Edinburgh, as directing young men, by his example, rather to the model of Radcliffe, (of whose character Dr Gregory has mentioned *extreme irascibility* and *insufferable insolence* as prominent features, Def. p. 158. and 159.), than of Boerhaave and Haller. These great men had also their controversies; but they related to professional subjects, tended to the advancement of science, and were conducted on their part with decorum; far from the levity, the violence, and scurrility of Dr Gregory's compositions. It was not by such means as Dr Gregory has employed to signalize himself, that the elder Monro laid the foundation of our Medical School, or that its reputation has been supported and extended by Whytt, Cullen, Black, and Dr Gregory's own father.

Few Physicians have more frequently proclaimed the imperfections of medicine—the doubtfulness and obscurity of the science, and the inefficacy in many cases of its practice, than Dr Gregory. It would have been well for him, and perhaps also for the world, if, bearing this in mind, and also the responsibility of his official situation, he had employed his leisure and his talents in cultivating and improving his profession, and in establishing his fame and  
reputation

reputation upon the substantial basis of advancing this object, which demands his chief attention, instead of aiming at notoriety and distinction, by contumelious representations of the Faculty at large—by vain declamations in his own praise—and by malevolent and calumnious attacks on the moral character of his Brethren.

Some, they doubt not, there are, who, accustomed only to hear of the frank generosity and active beneficence of Dr Gregory, may not be disposed to believe, that a man of such pretensions can have deviated so far, as these pages shew him to have deviated, from the straight and onward path of sincerity and rectitude. But the College must be permitted to say, that those persons reason very inconclusively, who affirm, that because he may have acted well towards some of his friends, he has not acted ill towards the College and its Members. To establish the credit of their Narrative, it is not necessary to account for his inconsistencies, or to reconcile one part of his conduct with another. And however distressing and degrading the consequences may be to Dr Gregory from the exposition of the many instances of his disregard to candour, probity, and truth, which the College have been obliged to lay open in the preceding pages, they confidently trust, that it will be evident to every impartial reader, that this disclosure was no longer a matter of choice, but of necessity.

POST-



## P O S T S C R I P T.

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THE preceding Narrative having been drawn up by the Council, in consequence of an order from the College on the 13th of September 1808, it could not contain the detail of Dr Gregory's conduct beyond that period. The College, however, think it proper to subjoin an account of the subsequent transactions, which have terminated in their suspending him from all the rights and privileges of a *Fellow* of the Royal College, till he shall make satisfactory acknowledgments.

On the 7th of February 1809, Dr Gregory transmitted the following paper, by way of Reasons of Protest against the decision of the College on the 13th of September 1808.

### “ P R O T E S T by DR GREGORY.

I protest against the proceeding of the Royal College of Physicians in Edinburgh, on the 13th September last, as contrary to truth, contrary to evidence, grossly unjust and malevolent with respect to me, and evidently a continuation of certain well-known proceedings of gross falsehood and malevolence towards me, by the same seven individuals, namely, Dr Charles Stewart, Dr Thomas Spence, Dr Andrew Duncan senior, Dr Andrew Duncan junior, Dr James Home, Dr Thomas Charles Hope, and Dr James Hamilton junior, who being for the time a majority of the Royal College, have combined to do me this new and most foul injustice, when they found me determined to vindicate myself from the former wrong they had done me, and to call them to a strict account for their falsehood and injustice in that proceeding.

For the complete proof of what I have thus stated, and for a full exposition of those facts and circumstances in my conduct, and in the conduct of those seven individuals whom I have named, which led to that fresh act of unexampled baseness, of deliberate falsehood,

falsehood, and rancorous vindictive malevolence towards me, against which I now protest, I refer to my several printed papers, and particularly to my Defence, already before the College.

Further, I protest and declare, That I shall take, *without delay*, the most effectual and *public measures* fully to vindicate my own character, and to repel and expose that additional most foul injustice, which the afore-named seven Fellows of the Royal College, being for the time the majority of it, have conspired to do me; evidently for the most dishonourable purpose, of preventing me from vindicating myself, as I could easily have done, from the base injustice of *that previous act of theirs*; of which Act and Declaration, the injustice and falsehood were in some measure concealed by the ambiguity of the terms in which they had taken care to express it, but were, in fact, so gross and palpable, when the declaration was strictly examined and analyzed, that they could not be explicitly avowed or maintained, without infamy as well as absurdity, and that when I desired those who had concurred in that previous unjust condemnation of me, untried, unheard, uncited, to explain their own words, so as to give me a fair opportunity of either vindicating myself, if I was innocent of the offence imputed to me, or else of acknowledging and repairing, as I had publicly and repeatedly offered to do, any wrongs which I had committed, as soon as these should be made known to me, they did not chuse to explain their own meaning, but most uncandidly and dishonourably declared that they adhered to their former resolution.

(Signed) J. GREGORY."

*Edinburgh, 7th February 1809."*

In a protest against a vote of censure and reprimand for a deliberate violation of truth in a solemn oath, it was to be expected that Dr Gregory would declare it to be contrary to truth and evidence; but it was scarcely to be supposed that he would have been so unwise, as to furnish another remarkable instance of that wantonness in preferring groundless accusations against his Brethren, and of that complete disregard to truth in supporting them, which it has been the object of the College to expose in the preceding Narrative.

To enable the reader to form a proper estimate of Dr Gregory's allegation of a conspiracy formed against him by the seven individuals



viduals named in his protest, it will be sufficient to remind him, that the previous act of *deliberate falsehood* and *unexampled baseness*, of *gross injustice* and *rancorous malevolence towards HIM*, which he boldly asserts to have been the act of the "afore-named" seven Fellows, is nothing else than the unanimous resolution, so often referred to, of the 5th February 1805, in favour of the Committee for revising the laws; and that this, so far from being the act of those seven individuals, was passed at so very full a meeting, that besides them, every other Member on the roll, excepting Dr Gregory alone, was present, viz. Dr Monro senior, Dr Hamilton senior, Dr Rutherford, Dr Wright, Dr Yule, Dr Monro junior, and Dr Morrison.

For the falsehood of his assertion Dr Gregory cannot plead ignorance. His *Defence* and *Relative Documents* afford ample proof that he was perfectly well acquainted with the real state of the fact. Moreover, he could not be ignorant, that even of the *seven* individuals named by him, neither Dr Spens, then President, nor the other three Members of the Committee, viz. Drs Duncan senior and junior, and Dr Hope, could or did vote on the said 5th of February, for the particular resolution which specially respected themselves.

The protest, at the suggestion of the Council, was remitted to the consideration of a Committee. Their report, presented on the 13th of May 1809, with an amendment proposed by themselves, is to the following purport:

"The Committee have deliberated upon the paper, indorsed, "Protest by Dr Gregory, February 7th 1809." It appears to them, both in its matter and style, to be equally inconsistent with truth and decency. It is their opinion, that it ought on no account to be ingrossed in their Records, but kept *in retentis*, as one of the many proofs of his temper and conduct towards the College, and as a justification of the measures towards him, which he may compel them to adopt.

They think it necessary to propose, that the author of such a paper should be suspended from the right he possesses of attending their meetings, and from all the rights and privileges he enjoys as a Fellow of the College, until he make satisfactory acknowledgments: a sentence equally requisite for the restoration of the peace and amity, during so many years disturbed by the outrages  
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of Dr Gregory, as for the purpose of stigmatising these outrages, though in a manner far more lenient than they deserve."

The College, by a majority of eight to two, approved of this report, and accordingly suspended Dr James Gregory from attending their meetings, and from all the other rights and privileges of a Fellow of the Royal College, until he shall make satisfactory acknowledgments.

*August 1809.*

A P.



## APPENDIX.

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### Nº I.

(Referred to, Narrative, p. 50.)

AS Dr Wright's evidence relating to his communications with Dr Gregory and other Members, though it appeared very inconsistent to the College, has been confidently appealed to by Dr Gregory as a satisfactory vindication of himself in certain particulars, it is deemed necessary to publish the following Statement of Facts

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Dr WRIGHT was Vice-President of the College at the time when Dr Gregory's violent publications appeared, in January 1805. He could not fail to be perfectly well acquainted with the terms of the Resolution passed in favour of Dr Spens and the Committee, having been present at the Council-Meeting on the 4th of February, when it was agreed on, having heard it discussed in the College on the 5th of February, and, on that occasion, (in consequence of his being placed in the Chair), having actually pronounced it twice, first to the President, and then to the Committee.

In November 1806, when the Council were deliberating upon the subject of the extraordinary queries which Dr Gregory had read and delivered to the College, Dr Wright produced a series of answers, which, though corresponding in sentiment with the views entertained of them by the other Members, were not adopted by the Council, as it was conceived, that the style of these queries called more for a vote of disapprobation and censure than a detailed reply. Dr Wright *acquiesced*; and he heard the opinion or answer of the Council (which concluded with two Resolutions, the last of which contained a vote of censure,) deliberately and distinctly twice read over. Next day he attended another meeting of the Council, assembled to consider a small alteration proposed to be made on *the introductory part* of the answer; and very soon after, on the same day, after again hearing the paper recommended by the Council very audibly read, joined in the vote of censure on Dr Gregory. Dr Wright was present at the subsequent meeting in February 1807, when this vote of censure was read as part of the minute, and when it received the sanction of the College, without making any objection to it.

At the quarterly meeting in May 1807, Dr Gregory, contrary to what both he and Dr Wright knew to be the rules of the College, and apparently for the purpose of taking the College by surprise, (as he had before avowed  
that

that he intended in the instance of his queries), presented to the Chair the following letter from Dr Wright.

" SIR,

*Edinburgh, 22d April 1807.*

" Having a sudden call to London on particular business, puts it out of my power to attend the Meeting of the College on the 5th of May next. Permit me, therefore, to deliver my sentiments in writing on the case of Dr Gregory, before the College.

" 1st, That at the Council previous to the extraordinary Meeting of the College, I submitted a string of answers to Dr Gregory's queries, which, though generally approved, were not adopted.

" 2d, That at said Meeting of the Council, certain resolutions were read, which the Council proposed to recommend to the College, but which were not finally settled that day.

" 3d, That a Meeting of the Council was held half an hour before the extraordinary meeting of the College; the opinion of the Council was read over; *but I have not the most distant recollection of the concluding paragraph of these Resolutions being read to me; but if the said concluding paragraph was read at this meeting of the Council, it must have been in that hurried manner as to make no impression.*

" For these reasons I consider myself at full liberty to *depart* from the resolutions of the College, and to *protest*, what I now do, against the vote of censure being carried into effect.

" I have the honour to be, most respectfully, Sir, your most obedient servant,

(Signed)

WILLIAM WRIGHT.

*To Dr Charles Stuart, President of the Royal College of Physicians."*

The surprise occasioned by this singular attempt to retract a vote which he had deliberately given six months before, and respecting which he had observed perfect silence, when he heard the minute of the transaction read, at the subsequent quarterly meeting, in February 1807, could only be equalled by the indignation which the false statement of facts, and the vile insinuations against the Council, excited. Both were strongly expressed by some of the Gentlemen; but it was agreed that no steps ought to be taken till Dr Wright should be present, to answer for himself. Having learned, on his return to Scotland, the sentiments entertained of the above letter, he transmitted, in due form, to the President, the following.

" Mr President,

*Edinburgh, 3d August 1807.*

" DEAR SIR,

" I had not the smallest intention to insinuate, that the Council, or any Member of it, were capable of altering, adding to, or suppressing any part of the Resolutions read in the Council, or in the College, last February meeting.

" Several circumstances called off my attention to their nature and contents, and for a time effaced them from my recollection.

" I



"I have good reasons for changing my mind on those Resolutions of the College; and especially on such paragraphs that contained censure on Dr Gregory, and to which, *in the heat of the discussion*, I reluctantly gave my assent, or acquiescence.

"I therefore beg leave to withdraw my letter of the 22d of April, as being partly incorrect, and consider myself at liberty to vote, in the future stages of this discussion, as my judgment and conscience may direct me.

"I have the honour to be, with great respect, Sir, your most obedient servant,

(Signed)

WILLIAM WRIGHT.

"*To Dr Charles Stuart, President of the Royal College of Physicians.*"

As this letter acknowledged the incorrectness, and disavowed the injurious insinuations of the former one, the College, unwilling to conduct themselves towards Dr Wright with severity, only refused to permit him to withdraw his first letter, and ordered both to be recorded. Both, therefore, stand on their minutes, an irrefragable proof of the undue and extraordinary lengths which Dr Wright was willing to go for the purpose of serving his friend Dr Gregory.

Dr Wright was also present at the meeting, November 24. 1807, when the disclosure of Dr Gregory's falsehood, relative to the resolution of February 1805, took place; and though he remained silent during the discussion, this transaction could not fail to direct his attention strongly to the particular terms in which he had communicated that resolution to Dr Gregory, more especially as so much of the argument turned upon *the precise expressions* which he had used on that occasion.

The reasons mentioned in the note, p. 47. of the Narrative, induced Drs Stuart, Spens, and Hope to wait on Dr Wright on the 1st of December 1807. They had every reason to suppose that he was one of the persons alluded to by Dr Gregory, in his acknowledgement, (Nar. p. 44. and 56); and they were anxious to know the full extent of that information, as they had had various proofs of the readiness with which Dr Gregory perverted facts, when it suited his own purposes.

Dr Stuart began by asking Dr Wright if he had not informed Dr Gregory of the resolution of 5th February 1805? Dr Wright, at once, and most readily replied, that he had. Dr Stuart then requested to know what he had told him. *Dr Wright said, that he had told Dr Gregory, that the College had completely acquitted the Committee, and had declared that they had acted quite honourably.* On this occasion Dr Wright spoke without doubt or hesitation, and apparently in the perfect recollection of every circumstance. As this account of the communication to Dr Gregory coincided perfectly with the spirit of the resolution, and as it could not be imagined that he would give an erroneous statement to Dr Gregory, these gentlemen put no more questions to Dr Wright relative to those expressions. Dr Wright, however, evinced very fully his perfect recollection of the events of 5th February 1805, by recalling

to the remembrance of his visitors some of the other occurrences which took place on that day.

Dr Spens and Dr Hope, separately, on going home, took a memorandum of what had passed, and to preclude every possibility of mistake on their part, they (Dr Stuart being unable to accompany them) again waited upon Dr Wright *two days* after, that is, *on the 3d of December*, and shewed him the statement of what had passed at their interview on the 1st, and requested him to certify it to be correct, if he found it to be so. Dr Wright had thus had full time to reflect upon the information he had communicated to Dr Gregory. He read the statement deliberately, asked leave to take a copy of it, and after transcribing it, he added to the original the following declaration, 'I declare, that the above statement is, to the best of my recollection, correct.'

(Signed) WILLIAM WRIGHT.'

On the same day, Dr Wright *sat next* to Dr Hope at the election-dinner, but spoke not a word to him respecting the forenoon's transaction. Before quitting the room, however, he mentioned to Dr Stuart, while at coffee, and the company all talking around them, and when Dr Stuart heard very imperfectly what he said, his wish or expectation that his written testimony should be returned to him, being desirous of giving a *viva voce* evidence on the same subject, if called upon in the College. Dr Stuart said, that he saw no objection, for his own part, to his written declaration being given up, but did not know what might be the sentiments of Dr Spens and Dr Hope; but Dr Wright did not give him the smallest hint, nor had Dr Stuart the most distant idea, that he meant to depart in any degree from the testimony he had subscribed.

On the 4th of December, the Council met for the purpose of having communicated to them the resolutions which Drs Hope and Spens were next day to move in the College respecting Dr Gregory; and Dr Hope then tabled Dr Wright's signed statement, as it formed a part of one of the proposed resolutions.

On the 5th, when the President was about to take the Chair, Dr Wright came up abruptly to Dr Hope, and without assigning any reason whatever, demanded back the signed statement. Dr Hope could not give it up, as he had already tabled it before the Council, and as it constituted a part of one of the resolutions, which the College were convened for the express purpose of hearing moved, and as Dr Wright gave no reason for making the demand.

On the 19th of December, the day fixed for considering the resolutions, as soon as Dr Hope had stated the grounds on which he had brought them forward, Dr Wright read a speech, in which he retracted part of the testimony he had before given, and disclaimed the statement bearing his own signature, as "*spurious*," and "*none of his*." He refused to deliver this paper to the clerk. The copy which follows is taken from the *Relative Documents* of Dr Gregory.

DR



## DR WRIGHT'S SPEECH.

“ MR PRESIDENT,

What I am about to deliver is not from *memory* or *recollection*, which is often fallacious, but from notes and memorandums I found amongst my papers *on the morning of the 3d December current*: By those notes, and the minutes of your records, *I am completely master of the subject*; and the proceedings of the Royal College, at their meeting of the 5th February 1805, are now as fresh on my memory as if it had been on yesterday.

I shall recount the occurrences, and some other matters connected with the meeting of the College at the time; and shall briefly state what part of the proceedings I reported to Dr Gregory, and what part I did not think proper to communicate.

On the evening of the 4th February 1805, I called on Dr Gregory, at his own house; I told him, I had had a visit from Dr Spens; that he appeared to be in the greatest distress and anxiety of mind. He said he was much hurt and *injured* by what Dr Gregory had said of him;” (in his Conf. Lett. and Rev.) “ that he was aware of my sentiments, as well as of those of several others of the Members of the College; disapproving of the report of the Committee for the revising of the laws; and that they had exceeded their powers; but, said he, you may call us all the fools and idiots you please, *but do not call us dishonest*. On the same evening I reported to Dr Gregory what happened that day in the Council; that several of the Members sympathized with Dr Spens; that, *in order to save his feelings*, one of his friends proposed, that a motion should be made in the College next day, to return thanks to Dr Spens, and to his Committee, for the great pains they had taken in revising the laws, and that they were convinced that they had acted from the purest motives.

Soon after the Meeting held on the 5th of February, I told Dr Gregory, that a motion had been made in the College, agreeable to the recommendation of the Council, which after much discussion, had been agreed to, and that the College had ordered the Vice-President to render their thanks, first to Dr Spens, and then to his Committee, for the revival of the laws, and that they were convinced they had acted from the purest motives.

*Here I slept;—more than this I did not report* to Dr Gregory, of the proceedings of the Royal College of Physicians, on that day, nor upon any other occasion whatsoever. No! not even after Dr Duncan senior had shown him the minutes of the College of the 5th of February 1805.

I come now to the most painful part of my duty. It is to speak of that paper, that letter or document on your table. On the 1st of December current, the three gentlemen” (Drs Stuart, Spens, and Hope) “ named in that paper came to my door; on being admitted, I heard Dr Stuart call out, “ *A deputation, A deputation!!*” I took this for a piece of pleasantry, and

and received them kindly as friends. Soon after, Dr Stuart asked me, "if I remembered the proceedings of the College of the 5th of February 1805?" I said I did. "Do you recollect telling Dr Gregory of the resolution of the College, and of their *having acquitted* Dr Spens and his Committee *honourably*?" I said *O yes, I think I did, I believe I did, and that I had told him in a general way what had been done.* After a few minutes, they took their leave, and we parted pleased with each other. I suspected no evil.

Next day, 2d December, Dr Spens and Dr Hope came to my house *in the forenoon.* Dr Spens reminded me of the conversation of *yesterday.* I answered, I remembered it. He then presented to me the paper on your table, drawn up by themselves, or under their direction, recounting the conversation of the *preceding* day, which, without giving it due consideration, I certified that statement to be correct, as far as my recollection served me.

Before these gentlemen went away, I told them that what I had done, did not preclude me from attending the extraordinary meeting on the 5th December. They replied, it did not.

On discovering my notes or memorandums *on the morning of the 3d December,* I saw how much my recollection had failed me! how much I was deceived and mistaken! I went to dine with the College that day, and was in hopes I could set that matter to rights. I took the first opportunity of speaking to Dr Stuart, and said, as I intended making my personal appearance at the meeting of the College on the 5th December, the declaration obtained from me may be cancelled. His reply was, "certainly it may." I expressed myself in the same terms to Dr Spens; his answer was, "I should think so too." *I had no opportunity of speaking to Dr Hope,* until he came into the room, when the Members of the College were assembling for the meeting of the College, 5th December. I said to him, "you must give me that paper back." He hastily said, *No! it was tabled* \*. I made another attempt to prevent its being read, by offering myself for examination; when Dr Hope said, "Sir, do you mean to interrupt me?" I sat down much disconcerted.

This violent conduct of Dr Hope is new and unprecedented; as, an evidence, who has been examined on oath before a court of justice, finding he was mistaken in the declaration he had emitted, and desirous of being again examined before the court, has a legal right to have his previous evidence cancelled. This, however, was denied me. I was prevented and obstructed from giving my testimony in my own words.

On reviewing the whole of this business, and carefully weighing every circumstance in my own mind, I was led to the following conclusions.

1. That if the projectors and framers of that document on your table, had, by a preconcerted plan, intended to surprise, to ensnare, and to entrap me, they could not have been more successful. It had the fullest effect. I became the dupe of their artifice.

2.

\* This could not be, as the meeting was not constituted; nor was it tabled formally for an hour and a half after. *Note by Dr Wright.*



2. That it appears to me that the authors of that paper came to my house with unfriendly dispositions towards me, and hostile designs against Dr Gregory. *I was singled out as the tool and instrument to inflict the mortal wound and to blast his character !!!*

Nor shall I be of another opinion or belief, until these gentlemen give satisfactory proof to the contrary, and that they, upon this occasion, *acted from pure and honourable principles.*

I *disavow* that declaration or document on your table *as none of mine*; as surreptitious, as spurious, and illegally obtained from me.

I now solemnly protest and declare, that I did not report to Dr Gregory that the Royal College of Physicians had honourably acquitted Dr Spens and his Committee, either on the evening of the 5th of February 1805, or at any subsequent time thereafter."

Soon after this paper was read, Dr Gregory, as has been already mentioned, Nar. p. 49, put a series of prepared and written questions to Dr Wright, by which he endeavoured to get such answers from him as were conformable to his own views, which naturally led several of the Members to put such questions to Dr Wright as occurred to them at the moment. As this examination was wholly unforeseen on the part of the College, they were not prepared to put those questions to Dr Wright, and to others, which would have exhibited the circumstances of the case in the most striking manner; but, as it is, the whole is so remarkable that it is here subjoined, and the reader may form his own judgment of it.

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### EVIDENCE of DR WILLIAM WRIGHT, taken at an Extraordinary Meeting of the ROYAL COLLEGE of PHYSICIANS, held upon the 19th day of December 1807.

#### *Questions by Dr Gregory.*

1. Dr Gregory.—Does Dr Wright remember telling Dr Gregory, that it was proposed by the Council to return thanks to Dr Spens and the Committee, for the great trouble they had taken in revising the laws, and to declare that the College was convinced that they had acted from the best or purest motives, or words to that effect?

Dr Wright.—I do.

2. Dr Gregory.—Does Dr Wright remember Dr Gregory, on hearing these

these two articles mentioned, say, if that is all, I should agree to it, or concur in it, if I were at the College; or words to that effect?

Dr Wright.—*I remember it very well.*

3. Dr Gregory.—Does he acknowledge any difference between the import of declaring, that Dr Spens and his Committee had acted from the purest motives, and declaring that they had acted in the most honourable manner?

Dr Wright.—Whatever difference I consider between these two things, I kept it to myself, and did not inform Dr Gregory that Dr Spens and his Committee were acquitted honourably.

4. Dr Gregory.—Does he conceive that every action proceeding from a good motive, is itself good and honourable?

Dr Wright.—I do not, because a person may err in judgment.

5. Dr Gregory.—Had Dr Wright read with attention Dr Gregory's printed papers before the meetings of the Council on the 4th, and College on the 5th of February 1805?

Dr Wright.—I read them with attention.

6. Dr Gregory.—Was he well acquainted with the tenor of these printed papers?

Dr Wright.—I was.

7. Dr Gregory.—Did he understand that Dr Gregory imputed to Dr Spens and his Committee any other motives for their actual conduct, but a desire to promote their own pecuniary interest individually, and also that of the College as a body?

Dr Wright.—I understood Dr Gregory in that way, as imputing no other motives to them.

8. Dr Gregory.—Did he understand that Dr Gregory blamed the Committee for these motives?

Dr Wright.—*I did not understand that he did.*

9. Dr Gregory.—Did he understand that Dr Gregory, in his printed papers, blamed them for their actual conduct in the Report which they had given in to the College?

Dr Wright.—I understood that he did blame them.

10. Dr Gregory.—Did he understand that Dr Gregory blamed them much for exciting dissension in the College, by introducing a proposal the same in substance with one which Dr Spens had introduced, and pushed very keenly in 1796, but which was greatly disapproved of by many of us at that time; and after repeated and very full consideration, and much debate for about nine months, was at last dropped, or suspended *sine die*?

Dr Wright.—I think he blamed them very much. I do not incline to add any thing else to this reply.

11. Dr Gregory.—Did he understand Dr Gregory to have blamed them for violating their own charter, and those of the surgeon-apothecaries?

Dr Wright.—He blamed them very much on both these accounts.

12. Dr



12. Dr Gregory.—Did he understand that, by those charters, the practice of Pharmacy, publicly or privately, is forbidden to us of the Royal College of Physicians, and given exclusively to the Surgeon-apothecaries?

Dr Wright.—I understand by those charters, that the practice of Pharmacy is forbidden to the Members of the College of Physicians in this place, and given exclusively to the Surgeon-apothecaries.

13. Dr Gregory.—Did he understand, that for us to keep shops, even privately, and furnish medicines to our own patients, as was proposed by Dr Spens in 1796, and avowed in November 1804, to be the meaning and purpose of the Report of the Committee for revising our laws, was according to, or contrary to the true spirit and plain meaning of our enactment of 1754?

Dr Wright.—I think it contrary to it.

14. Dr Gregory.—Does he think it was honourable and right for any of our Members to propose such a breach of faith on the part of the College, or such an absolving of ourselves from that obligation?

Dr Wright.—I decline answering that question in the present stage of the business.

15. Dr Gregory.—When it was proposed in the Council, and resolved by the College, 4th and 5th February 1805, to declare that Dr Spens and his Committee had acted in the most honourable manner, was it avowed by the College, that the Royal College expected and required of all other Committees, and of all its Members individually, that they should act in the same manner whenever they had an opportunity, and endeavour to subvert our law of 1754, by the same means which Dr Spens and his Committee in 1804 had employed for that purpose?

Dr Wright.—I did not understand that it was.

16. Dr Gregory.—Did Dr Wright understand that to be the meaning of the College?

Dr Wright.—I did not.

17. Dr Gregory.—Did Dr Wright understand that the College did not expect, or require, or wish, that all its Members, individually and collectively, should act in the most honourable manner?

Dr Wright.—The College certainly wished and expected that every Member would act in the most honourable manner; but he did not understand that part of the question relative to their requiring them to do so.

18. Dr Gregory.—If any individual of that Committee had acted in a manner directly opposite to that in which Dr Spens and his Committee acted on that occasion, had objected to that interpretation of the law 1754, as being false, and to any attempt to repeal or pervert that law, as a breach of faith, and a violation of our charter and of that of the Surgeon-apothecaries, and, if out-voted in the Committee, had protested against their proceedings, and, instead of keeping the plan a secret, had immediately mentioned it to the different Members of the College individually, and had laid it fully before the Council and the College at their first meeting, or at the first

minimal reading of the Committee's Report, and had declared their strong disapprobation of it, would this have been acting in a dishonourable manner?

Dr Wright.—I don't think it would.

19. Dr Gregory.—Why would it not be dishonourable?

Dr Wright.—It would require a very long discussion, more than I am master of at present, to answer that question.

20. Dr Gregory.—Does Dr Wright understand that the College would have been entitled to censure, or to punish in any way, such individuals, for acting in a manner directly contrary to what the College have now repeatedly declared to have been acting in the most honourable manner?

Dr Wright.—I will not answer that question.

21. Dr Gregory.—Was that part of the declaration of the College, that Dr Spens and his Committee had acted in the most honourable manner, *understood by Dr Wright to be only a temporary expedient, to save the feelings of Dr Spens and his Committee*, and to restore peace to the College?

Dr Wright.—*I did not understand it in that light.*

22. Dr Gregory.—Was Dr Wright grieved or pleased, or was it quite indifferent to him, to see such violent dissension break out in the College, in winter 1804 or 1805?

Dr Wright.—I was exceedingly sorry that dissensions should have arisen in the College on that subject; *but they did not arise to any height till 1805.*

23. Dr Gregory.—After Dr Wright had seen my printed papers, did he wish to restore peace to the College?

Dr Wright.—I had every wish to restore peace to the College.

24. Dr Gregory.—When Dr Wright came to me in the afternoon of the 5th of February 1805, did he come with the benevolent intention of a peacemaker?

Dr Wright.—I had no other intention.

25. Dr Gregory.—Did Dr Wright think this benevolent purpose would be promoted, or certainly frustrated, by informing me of that part of the declaration of the Royal College, that Dr Spens and his Committee had acted in the most honourable manner?

Dr Wright.—I thought it would be completely frustrated.

26. Dr Gregory.—Was that Dr Wright's reason for not informing me of that part of the resolutions of the College?

Dr Wright.—It was: I had no other.

27. Dr Gregory.—Did Dr Wright conceive that I meant to acquiesce in such a complete general contradiction of all I had asserted in my printed papers, as that which is implied in that part of the Resolution of the Royal College, 1805, which declares, that Dr Spens and his Committee had acted in the most honourable manner?

Dr Wright.—I conceived both then and now, that he would not acquiesce.

28. Dr Gregory.—Did Dr Wright know, from reading my Censorian Letter, p. 3. and 120. that I was ready, and eagerly desirous to acknowledge



ledge and correct any unintended errors, if any such could be pointed out to me in my printed papers, and that I was equally willing to vindicate and answer for, publicly and judicially, any supposed wilful wrong or falsehood, which any of my Brethren might think they found in those papers?

Dr Wright.—He was ready and willing to do so.

29. Dr Gregory.—At that meeting of the Royal College, or at the meeting of the Council the day before, were any particular passages or assertions in my printed papers taken notice of, as either unintentionally erroneous or wilfully false?

Dr Wright.—I do not recollect that there was any mention of any particular passages.

*Question by the President.*

30. Dr Stuart.—Does Dr Wright recollect whether any mention, at that meeting of the Council or College, was made of Dr Gregory's name, or of any of his printed papers whatever?

Dr Wright.—My memory does not serve me to say any thing about it.

*Questions by Dr Gregory continued.*

31. Dr Gregory.—Did any such assertions, which to him appeared either unintentionally erroneous or wilfully false, occur to him on reading my printed papers?

Dr Wright.—Nothing of that sort occurred to me.

32. Dr Gregory.—If not, is it possible that the whole of these papers should be false, unless some or many very glaring passages of them were so?

Dr Wright.—I think not.

*Questions by Dr Hope.*

33. Dr Hope.—Does Dr Wright think that he has understood, and is aware of the full import and bearing of all the questions now put by Dr Gregory, and of the answers he has given?

Dr Wright.—I do.

34. Dr Hope.—Was Dr Wright present at the meeting of the Council held previous to the meeting of the College, Feb. 5. 1805.

Dr Wright.—I was.

35. Dr Hope.—Did Dr Wright then hear the resolutions that were to be recommended by the Council to the College on the succeeding day?

Dr Wright.—I heard them.

36. Dr Hope.—Did Dr Wright give his vote for adopting these resolutions at the meeting of the College, Feb. 1805?

Dr Wright.—I did.

37. Dr Hope.—Did Dr Wright, who was Vice-President, take the chair previous to the passing of these resolutions?

Dr

Dr Wright.—I did.

38. Dr Hope.—Did Dr Wright pronounce these resolutions twice, first to the President, and then to the Committee?

Dr Wright.—I did.

39. Dr Hope.—Did Dr Wright wait on Dr Gregory on the evenings of the days of the meetings of the Council and of the College?

Dr Wright.—I think I did.

40. Dr Hope.—Did Dr Wright go to give Dr Gregory information of the proceedings of the College?

Dr Wright.—Only in part.

41. Dr Hope.—Did Dr Wright go with the view of giving a full account of the proceedings of the College to Dr Gregory?

Dr Wright.—I did not go with the view of giving him a full account of the proceedings of the College on that day.

*Questions by Dr Stuart.*

42. Dr Stuart.—What purpose does Dr Wright think a partial statement to be given by him of the proceedings of the College, could serve?

Dr Wright.—If I had given him a full account, *he would have been irritated more than he was, and I did not find him in that frame and temper of mind to bear such an account as I could have given him.*

43. Dr Stuart.—Did not Dr Gregory say to Dr Wright, when he gave him this partial statement of the proceedings of the College, that if he had been present at that meeting, he would himself have joined in the vote of the College?

Dr Wright.—*I never understood that Dr Gregory would have done so, and I did not think he would have joined in it.*

*Question by Dr Hope.*

44. Dr Hope.—Did Dr Wright wish to impress Dr Gregory with the belief, that the College had passed a censure on the President and Committee by their resolutions?

Dr Wright.—I had no such wish.

*Questions by Dr Stuart.*

45. Dr Stuart.—Did Dr Wright think that Dr Gregory conceived his communication to express a censure?

Dr Wright.—No.

46. Dr Stuart.—Did Dr Wright conceive that Dr Gregory did not understand, from what he said, that the College had voted the Committee to have acted in an honourable manner?

Dr Wright.—I conceived he did not.

*Questions by Dr Hope.*

47. Dr Hope.—Did Dr Gregory receive the intimation as a matter of indifference?

Dr



Dr Wright.—*He did receive it as a matter of indifference.*

48. Dr Hope.—Why did Dr Wright think that Dr Gregory was not in a frame of mind to receive the full communication?

Dr Wright.—I decline answering that question.

49. Dr Hope.—Has Dr Wright found Dr Gregory in a frame of mind since that period, fit for receiving that communication?

Dr Wright.—Whether he was in a frame of mind or not to receive it, he knows not, but he never communicated it to him?

*Questions by Dr Stuart.*

50. Dr Stuart.—Whether were you not very much disappointed at finding Dr Gregory treat the information which you gave him, as a matter of indifference?

Dr Wright.—I was not.

51. Dr Stuart.—What purpose then, will Dr Wright say, could his information serve?

Dr Wright.—I decline answering that question.

*Questions by Dr Hope.*

52. Dr Hope.—Did Dr Wright think, that the information he gave of the resolutions of the College, amounted to a full acquittal of the Committee?

Dr Wright.—I shall not answer that question.

53. Dr Hope.—Does Dr Wright think, that in the casual framing of the resolutions, if the College had formally, through the President, returned their thanks to the Committee, and had declared that they had been actuated by the purest motives, that that would have amounted to a full acquittal of the Committee?

Dr Wright.—*I think it would.*

*Question by Dr Stuart.*

54. Dr Stuart.—Does Dr Wright think, that although the College had returned thanks to the Committee, and had declared that they had acted from the purest motives, that this was consistent with their thinking that they, or some of them, had acted dishonourably?

Dr Wright.—I will give no answer to that question.

*Questions by Dr Hope.*

55. Dr Hope.—Did the President, the Vice President, and Dr Hope, call on Dr Wright on the 1st Dec. 1807?

Dr Wright.—They did.

56. Dr Hope.—Did the President ask Dr Wright, if Dr Wright had informed Dr Gregory of the resolutions of the College on February 5. 1805?

Dr Wright.—He did.

57. Dr Hope.—Did Dr Wright declare to these Gentlemen, that he had informed Dr Gregory of these resolutions?

Dr Wright.—I said I believe, and I think I did, but it was only from recollection.

58. Dr Hope.—Did Dr Wright inform these three Gentlemen, that he had acquainted Dr Gregory, that the College had completely acquitted the Committee?

Dr Wright.—*I believe, and think I did*, but it was only from recollection.

59. Dr Hope.—Did Dr Wright declare to these Gentlemen, that he had informed Dr Gregory, that the Committee had acted quite honourably?

Dr Wright.—Same answer as two preceding.

*Questions by Dr Stuart.*

60. Dr Stuart.—Were the words in which Dr Wright expressed himself, suggested to him by these Gentlemen, or altogether spontaneous and unforced?

Dr Wright.—In part suggested to me by these Gentlemen \*.

61. Dr Stuart.—Did any of them address Dr Wright upon this subject, previous to his having given this answer, but the President alone?

Dr Wright.—I cannot be correct upon that subject.

62. Dr Stuart.—Will Dr Wright be pleased to say what language these Gentlemen used, which suggested these replies by Dr Wright?

Dr Wright.—If I were to say any thing, I suppose I would not be correct, and therefore decline answering it.

*Questions by Dr Hope.*

63. Dr Hope.—Did Dr Hope and Dr Spens wait on Dr Wright on the 3d of December, and show him a paper, in which were written the words made use of by him in presence of the President, Vice-President, and Dr Hope, on the 1st?

Dr Wright.—They did put that paper into my hands, and without giving it due consideration, I certified that that statement was correct from the best of my recollection.

64. Dr Hope.—Did Dr Wright, after reading that paper, request permission to take a copy of it, and did take a copy of it *before* he wrote the following declaration at the foot of it? The declaration is, "I declare, that the above statement is, to the best of my recollection, correct."

Dr Wright.—I took a copy of it *after* I had written that declaration †.

*Questions by Dr Duncan sen.*

65. Dr Duncan sen.—When Dr Wright, on the 5th of November 1805, informed Dr Gregory that the College had passed a vote respecting Dr Spens, and declaring that his conduct had proceeded from the purest motives, did Dr Wright imagine, that Dr Gregory would not consult the Minutes of the College

\* *Vide* Declaration of Drs Stuart, Spens, and Hope, App. p. 18.

† The Statement and Declaration will be seen, p. 57. of Narrative.



College to know what was really done, but would be contented with this partial information for a year and nine months?

Dr Wright.—He showed no curiosity to be farther informed.

66. Dr Duncan sen.—What does Dr Wright suppose could have prevented Dr Gregory from taking the proper method of knowing what was really done in the College respecting Dr Spens?

Dr Wright.—I know of nothing that prevented him getting that information.

*Question by Dr Gregory.*

67. Dr Gregory.—Did Dr Wright understand that I believed the account that he gave me to be the whole truth, and that I was satisfied with it?

Dr Wright.—Yes.

*Question by Dr Duncan sen.*

68. Dr Duncan sen.—When Dr Wright supposed that Dr Gregory believed that the partial account he had given him was the whole of what passed in the College, why did he not undeceive Dr Gregory by telling him the whole truth at that time?

Dr Wright.—I decline answering that question.

*Question by Dr Gregory.*

69. Dr Gregory.—Did Dr Wright understand, that if he had told me the whole truth, it would have excited me to further and violent discussions with the College according to what is stated in the 120th page of my Cenforian Letter?

Dr Wright.—I think it would.

*Question by Dr Stuart.*

70. Dr Stuart.—Does Dr Wright think, that the terms in which he related the proceedings of the College on 5th Feb. to Dr Gregory were calculated, or did he intend by them, to lead him to believe that it was a full account of their proceedings?

Dr Wright.—I give no answer to that question.

*Questions by Dr Duncan senior.*

71. Dr Duncan sen.—When Dr Wright informed Dr Gregory, that Dr Spens had acted from the purest motives, What did he conceive was meant by the word purest? Did he suppose that Dr Spens's motive was the pure love of gain, or that it was perfectly free from every thing dishonourable?

Dr Wright.—I decline answering that question.

72. Dr Duncan sen.—As Dr Wright has said that he knows no erroneous facts in the Cenforian Letter, did Dr Wright suppose that Dr Gregory was in the right, when he attempted to prove in that Letter, that Dr Spens had appointed a packed Committee to obtain a repeal of the act 1754, in a clandestine manner?

Dr

Dr Wright.—I give no opinion upon that head.

73. Dr Duncan sen.—Did Dr Wright think, that the Committee wanted to get the act 1754 repealed or altered in a clandestine manner?

Dr Wright.—I decline answering that question.

*Question by Dr Hope.*

74. Dr Hope.—Has Dr Wright had any communication with any Member of the College upon the subject, since the visit of the President and Vice-President and Dr Hope?

Dr Wright.—No.

*Questions by Dr Brown.*

75. Dr Brown.—Did Dr Wright, after giving his signature to the paper which he had been requested to subscribe, with respect to the communications which he had made to Dr Gregory on the evenings of the 4th and 5th February, discover notes which he had made of these communications, written at the time or soon after it?

Dr Wright.—*I discovered such notes on the morning of the 3d December 1807, immediately after breakfast.*

76. Dr Brown.—Were these notes written very soon after the conversation with Dr Gregory?

Dr Wright.—The notes of the 5th Feb. 1805, were written a few days after the meeting of the College, on little scraps of paper.

77. Dr Brown.—Did he find such notes to justify him, in asserting that he communicated to Dr Gregory, only that part of the vote of the College of 5th February which related to the motives of the Committee for revising the laws, and not that part of it which related to their actual conduct?

Dr Wright. I did.

78. Dr Brown.—Did he on that account, and on that account only, wish to withdraw from the hands of Dr Hope, and of the other Members who had waited on him, the paper which he had given them at their request, as being no longer that which he could consider as giving an accurate statement of the communications he had made to Dr Gregory?

Dr Wright.—Solely on that account.

79. Dr Brown.—Did Dr Hope refuse to permit you to withdraw it, assigning as a reason that it was already tabled?

Dr Wright.—He did.

80. Dr Brown.—At the time of this refusal, had there been any meeting of the College, at which it could be regularly tabled?

Dr Wright.—There had been no such meeting, but the Members were just coming in to it.

*Questions by Dr Hope.*

81. Dr Hope.—Did Dr Wright state to Dr Hope, the reasons for withdrawing it, which are stated in a former answer, viz. that he had found, from



from a perusal of notes, subsequent to the signing of that paper, that the statement contained in it was incorrect?

Dr Wright.—No. Dr Hope gave me no time for it, he took his seat.

82. Dr Hope.—Did Dr Hope say he had already tabled that paper, or was about to table it?

Dr Wright.—He told me that paper was tabled.

*Questions by Dr Stuart.*

83. Dr Stuart.—Does Dr Wright think, that those notes which he discovered written by him, subsequent to his waiting on Dr Gregory in February 1805, are legible by any of the College?

Dr Wright.—No.

84. Dr Stuart.—Would Dr Wright be inclined to produce them as they are?

Dr Wright.—No.

85. Dr Stuart.—Will Dr Wright engage to preserve them in existence?

Dr Wright.—That I shall not.

*Question by Dr Home.*

86. Dr Home.—Has Dr Wright been in the habit of writing an account, or of preserving notes of the transactions of the College of Physicians?

Dr Wright.—Not constantly.

*Question by Dr Duncan sen.*

87. Dr Duncan sen.—After Dr Wright discovered these notes, did he immediately communicate that discovery to the President, or did he communicate it to him at any time prior to this meeting of the College?

Dr Wright.—I did not immediately communicate it, and had no opportunity of doing so, till I saw the President at the election-meeting.

*Questions by Dr Hope.*

88. Dr Hope.—Did Dr Wright express any wish at the election-dinner to Dr Stuart, or had he any wish, at that time, to withdraw the statement which he had signed?

Dr Wright.—I had every wish to withdraw it.

89. Dr Hope.—Did this wish proceed from the same motives which induced him to desire to withdraw it, when he applied to Dr Hope on the meeting of Saturday the 5th?

Dr Wright.—The same.

90. Dr Hope.—Did Dr Wright sit next to Dr Hope at the election-dinner?

Dr Wright.—I did.

91. Dr Hope.—Did Dr Wright speak to Dr Hope upon the subject, or express any wish of withdrawing the statement which he had signed that morning?

Dr Wright.—No.

DECLARATION by Drs STUART, SPENS, and HOPE, referred to p. 14.  
of Appendix.

AS DR WRIGHT, in an answer to one of the questions proposed to him by Dr Stuart, at the extraordinary meeting of the College on the 19th of December 1807, has affirmed, that the words in which he, Dr Wright, expressed himself, in regard to the information he had given Dr Gregory, as stated in the document signed by Dr Wright, now in the hands of the Clerk, were in part suggested to him by the Gentlemen to whom he made the declaration contained in that document; We consider it to be our duty to the College to declare, that this affirmation by Dr Wright is incorrect; the following being, if not the precise words, very nearly so, and certainly the precise purport, and the whole of the expressions or questions used by Dr Stuart, who alone addressed Dr Wright on the subject.

After being seated, Dr Stuart asked Dr Wright, if he had not informed Dr Gregory of the resolution of the College of 5th February, 1805?

Upon Dr Wright's answering that he had, Dr Stuart further said, What did you tell him?

The declaration was then given as stated and certified in the said document; nothing more having been previously said.

Edinburgh, }  
Feb. 2. 1808. }

(Signed) CHA. STUART.  
TH. SPENS.  
THOS. CHAS. HOPE.

It is impossible for any one who considers Dr Wright's speech and examination, to avoid being impressed with the conviction, that the statement given to Drs Stuart, Spens and Hope, is more correct than any part of the story contained in his other replies. He had particular occasion to be well acquainted with the tenor of the resolution, as has been already mentioned; and, previous to signing the statement, his attention had been strongly directed to the terms and extent of his communication to Dr Gregory, both by the discussions in the College, and by the visit of Drs Stuart, Spens and Hope. Though the *ipsissima verba* of the resolution might have escaped his



his memory, it is perfectly incredible that, if he had gone to Dr Gregory for the purpose of giving him an imperfect and incorrect account of the resolution, he could have forgotten so very singular and unjustifiable a proceeding: or, if he had gone with the intention of making a full communication, but had found that the information he gave provoked and irritated Dr Gregory so much as to deter him from telling the whole truth, it is not likely that such an occurrence could have escaped his memory. What renders the story the more improbable, is, that the part of the Resolution which he says he did communicate, was as much calculated to excite the wrath of Dr Gregory, as that part which he says he withheld.

Dr Wright however states, that his memory had deceived him; and that he found *notes and memorandums* which showed him his error.

The College cannot help feeling considerable difficulty in believing this account. If Dr Wright had actually made a discovery of notes, from which he ascertained that the testimony which he had given and subscribed was erroneous, why did he delay an instant in carrying them to those who were in possession of his statement, as well for his own vindication as to repair the injury he had done his friend? It was not even necessary for him to be at the trouble of calling on them. He met them the same day at the election dinner, to which Dr Wright says he went, in hopes of setting matters to rights: and he actually sat next to Dr Hope; but not a word on the subject escaped him. He was equally silent respecting the discovery of the notes to Dr Stuart and Dr Spens; and he remained silent on the subject above a fortnight longer; for the discovery was not announced till he read his speech at the meeting of the College on the 19th December.

The doubts created by this conduct were much strengthened, when Dr Wright, in his examination, declared that the said notes were not legible by any member of the College,—when he declined to produce them as they were,—and even refused, and that very peremptorily, to engage to preserve them in existence.

As Dr Wright could not be ignorant of the scepticism respecting the existence of these notes, and as he saw how much use Dr Gregory had made in his defence of his retraction, it was reasonable to suppose, that, if they really existed, he would have produced them on the day when the College met to discuss the accusation against Dr Gregory. Their production was of some consequence to Dr Gregory, and absolutely necessary to dispel the doubts in which Dr Wright's veracity was involved in regard to this retraction. Still, however, they were withheld from the College. In short, there were the most cogent reasons for producing the notes, if in existence; and it is impossible to imagine any good reason for withholding them.

With respect to these notes, the College must also observe, that it is impossible they could have been found at the *time* stated by Dr Wright for their discovery. Dr Wright says, '*Next day, 2d December, Dr Spens and Dr Hope came to my house in the forenoon. On discovering my notes and memorandums on the morning of the 3d December, I saw how much my recol-*

*lection*

lection had failed me!—how much I was deceived and mistaken! I went to dine with the College that day, and was in hopes I could set that matter to rights,' &c. 'I discovered such notes on the morning of the 3d December 1807, *immediately after breakfast.*'

Dr Wright here expressly states, that he subscribed his declaration on the forenoon of the 2d December, and that he found the notes on the morning of the 3d December, *immediately after breakfast.* But the fact is, that Drs Spens and Hope did *not* pay their second visit, and Dr Wright did *not* subscribe his declaration, on the 2d December, as he avers. It was *on the forenoon of the 3d*, soon after the election, that these gentlemen went away from the Hall, and waited on Dr Wright. As, therefore, Dr Wright did not subscribe his declaration on the 2d, but *on the forenoon of the 3d* December, it is evident that, if notes were actually discovered, the discovery must have been made, not *subsequent*, but *previous* to his certifying the accuracy of the declaration; and, of course, that he certified the correctness of the statement after he knew that it was incorrect. It is impossible that he could have found them any time subsequent to the 3d; because he expressly says that, in consequence of the discovery, he went to the election dinner to set matters to rights; and that dinner was certainly on the 3d December.—The conclusion, therefore, is irresistible, that the notes could not have been discovered as specified by Dr Wright; and, putting all the circumstances together respecting them, their discovery must appear absolutely impossible.

The improbable story, however, of these notes, is not the only circumstance which led the College to imagine that Dr Wright was willing to sacrifice not a little to his friendship for Dr Gregory, and to his anxiety to defend him. Both in his written speech and in his *viva voce* evidence, he gave various statements of facts by no means correct, and shaped his answers as much as possible to serve the cause of Dr Gregory. The following are some examples of these.

1mo, The account which Dr Wright gave, in his speech, of what passed at the interview between him and Drs Stuart, Spens and Hope, on the 1st of December, was not consistent with truth. Dr Stuart put no *leading* question to Dr Wright; he was on his guard against doing so; and he is ready, if necessary, to depone, that he merely requested to know whether he had informed Dr Gregory of the resolution of February 1805, and what information he had given him. Dr Wright replied at once, and without hesitation, 'that he had; and that he told Dr Gregory that the College had completely acquitted the Committee, and had declared that they had acted quite honourably.' Dr Wright, however, in the said speech asserts, that Dr Stuart put the leading question to him, 'Do you recollect telling Dr Gregory of the resolution of the College, and of their having acquitted Dr Spens and his Committee honourably?' and that he answered in the following vague terms, 'O yes, I think I did, I believe I did, and that I had told him in a general way what had been done.' Independent of the  
declaration



declaration of Drs Stuart, Spens and Hope (p. 18.), no one can believe that Dr Wright's recollection of what passed on the 1st December could be more fresh and correct on the 19th, when he read his speech, than it was on the 3d, when he certified the correctness of the statement: and seeing he was in possession of a copy of the statement, taken by himself on the 3d, his incorrect account of this interview could not have proceeded from want of recollection, but must have been intentional.

2do, Dr Wright, in his retracting speech, asserts, that having discovered his notes on the morning of the 3d, and having gone the same day to the election dinner, in hopes to set that matter to rights, he had no opportunity of speaking to Dr Hope, until the 5th December, when the members were assembling for the meeting of the College. What opinion can the reader form of the fidelity of Dr Wright's statements, when he is informed, that so far from having had no opportunity of speaking to Dr Hope during the two days between the 3d and 5th, he actually sat next to Dr Hope during the whole time of the election dinner? Besides, he certainly might have found many opportunities to speak to Dr Hope, or to Dr Stuart or Dr Spens, during the course of these two days.

3tio, In the same speech, he asserts that he had reported to Dr Gregory, that the resolution of February 1805 was proposed, in order to save the feelings of Dr Spens. But within an hour thereafter, when publicly and formally interrogated upon this point by Dr Gregory, he contradicts his own assertion in the most pointed manner. No. 21. Question by Dr Gregory — 'Was that part of the declaration of the College, that Dr Spens and his Committee had acted in the most honourable manner, understood by Dr Wright to be only a temporary expedient to *save the feelings* of Dr Spens and his Committee, and to restore peace to the College?'

Answer by Dr Wright.—'I did *not* understand it in that light.'

4to, Dr Wright, in his retracting speech, says, that having informed Dr Gregory, of the College having returned thanks to Dr Spens and his Committee, and expressed their conviction that they had acted from the purest motives, 'Here I stopt;—more than this I did not report to Dr Gregory,' &c. In this instance, Dr Gregory himself has been obliged to point out the error of the assertion. (Def. p. 356.)—Dr Gregory says that Dr Wright had reported to him a great deal more of the proceedings of the College on that day, and exerts his ingenuity to find an apology for this inaccuracy.

Every one who takes the trouble to peruse attentively the replies given by Dr Wright on the 19th December, must perceive the earnest wish which he betrays to make these replies correspond with the sentiments and state of facts maintained by Dr Gregory, and at the same time must discover the glaring inconsistencies into which he falls. He will find him at one time declaring, that Dr Gregory received his information respecting the resolution of the College *with indifference* (*Vid. Ans. to Quest. No. 47.*); at another time, that Dr Gregory was not in a frame and temper of mind to bear such an account.

as he could have given him ; and that if he had given him the full account, he would have been more irritated than he was. (*Vid.* Ans. to Quest. 42.)—At one time he declares, that he remembers very well, Dr Gregory, on hearing the articles of the resolution respecting thanks and motives, saying, ‘ If that be all, I should agree to it, or concur in it, if I were at the College ; or words to that effect.’ (Ans. to Quest. 2.)—At another, in reply to a question by Dr Stuart (No. 43.), he declares, ‘ that he never understood Dr Gregory would have done so, and did not think he would have joined in it.’ It will also be seen, that Dr Wright, blind to every other consideration, went so far to meet the wishes of Dr Gregory in these replies, as to declare, that though well acquainted with the tenor of the Rev. & Cens. Lett., he never understood that Dr Gregory, in those publications, blamed the motives of the Committee for revising the laws. (*Vid.* Ans. to Quest. 8.)—Nothing, surely, can more fully demonstrate the sincerity of that tender of his services which Dr Wright made to Dr Gregory, in his letter published p. 453. of the Defence, and which Dr Wright strongly expressed in the significant words, *me tuum facias*. Of this unconditional offer, it will probably be thought, that the whole of Dr Wright’s conduct has been a copious and clear illustration. As Dr Wright has avowed, that he designedly and intentionally gave Dr Gregory an imperfect and inaccurate account of the resolution, the obvious inference is, that, on some occasions at least, he thinks that truth may be suppressed, or even sacrificed.

Such being Dr Wright’s sentiments, the reader cannot be surprised, that in order to screen Dr Gregory, he had formerly retracted, upon *false allegations*, a vote deliberately and solemnly given in presence of the College ;—that he has positively alleged, as the ground for withdrawing and contradicting the statement he gave to Dr Stuart, Dr Spens, and Dr Hope, that he had found notes which he has refused to show, or even to preserve, and which could not possibly have been found at the time specified by him ;—and that, in the speech explanatory of this retraction, he has made many assertions inconsistent with truth. But he must be not a little surprised, that Dr Gregory has (Def. p. 349, &c.), in the most unqualified manner, passed a flattering eulogy on all this conduct of Dr Wright, styling him, ‘ *Gentilhomme, toujours Gentilhomme* ;’ calling him his ‘ *venerable friend* ;’ and asserting that he had formed ‘ the manly and decisive resolution of telling the whole truth.’ Dr Gregory has, indeed, seen the necessity for a little explanation of some of Dr Wright’s inconsistencies ; and has accordingly apologized for some of his inaccuracies. One explanation with regard to himself, however, still remains, which is to account for the extraordinary fact, of his having overlooked the improbabilities and impossibilities of Dr Wright’s story.

Notwithstanding the circumstances under which Dr Wright’s contradiction of his preceding testimony was made, the College gave full weight to it.



it. In finding Dr Gregory guilty of deliberate falsehood, they were not in the smallest degree influenced by that part of Dr Wright's first and frank declaration, from which he afterwards departed. To establish the violation of truth, it was not necessary to prove that Dr Gregory knew the whole resolution. He had denied, in the most broad and unequivocal manner, *all* knowledge of it; and the evidence was complete, that he was well acquainted with at least two of the three articles of which it consists.

With regard to Dr Wright, the College shall only add, that in consequence of his having presented a protest against the decision of the College on the 13th of September, expressed in the most disrespectful and improper terms, he was, at the quarterly meeting in May last, suspended from voting in the College, or sitting in any of its meetings, until he make a satisfactory apology.

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## APPENDIX, No. II.

GROUNDS of DOUBT *respecting the PURPORT and EXTENT of the BY-LAW 1754, entertained by the Committee for revising the Laws, drawn up by them, and inserted at their request.*

The profession of Medicine is, in this island, usually divided into three distinct branches, Physic, Surgery and Pharmacy. The name of Apothecary is given to the person who exercises the last of these; and his business consists in keeping, for public sale, drugs of every kind, and in preparing and compounding these, according as they are prescribed for the cure of diseases. Without engaging in pharmacy as a trade or profession, it has long been the custom, over the whole of Scotland, for many physicians, and, without exception, for all surgeons, to keep in their own houses a store of medicines for the sole use of their own patients, which they prepare and dispense as occasion requires. The main object of this partial connexion of the physician or surgeon with the profession of an apothecary, is to facilitate the performance of the duties of his own proper department; and while the practitioner, by furnishing the medicines which he prescribes, is himself certain that the medicines are genuine, good, and properly prepared, he secures to the patient the satisfaction of knowing that he gets the very articles that are ordered for him. Any profit on the articles

cles themselves, is, in the large towns, and among the more respectable members of the profession, a matter of trifling consideration.

The opinion was generally entertained in the College, that the by-law of 1754 not only prevented the members of the College, whether Licentiates or Fellows, from conjoining the profession of Pharmacy, or the trade of the Apothecary, with that of Physic, but also forbade this limited connexion, and debarred them even from furnishing medicines to their own patients. An attentive consideration of the enactment itself, and of various collateral circumstances, created doubts in the minds of the Committee, while engaged in revising the laws, whether the words of the act 1754 do absolutely and unequivocally bear that extensive interpretation, and whether the terms do really interdict that limited connexion. The following detail contains the grounds of those doubts:

It appears, from the records of the College, to have been a common practice, previous to the year 1750, for persons who had obtained the degree of M. D., to exercise likewise the employment of Surgeon or Apothecary, or both. But, at that period, some members wished to put a stop to this practice; and, on the 6th of February 1750, “ represented, that it has been too much the custom of late years, for some persons who have taken the degree of M. D., to exercise likewise the employment of Surgeon or Apothecary, or both; which practice they esteemed *derogatory to the honour and dignity of the profession of Physic*, as well as prejudicial to the public good: And having therefore moved, that the College would take the same into their consideration, and appoint a Committee to bring in, against next meeting, a draught of an act, whereby this abuse might for the future be more effectually discouraged, the College did unanimously resolve, that such an act should be drawn up; and appointed a Committee for that purpose.” The following is a copy of the act adopted on the 6th November 1750.

“ The Royal College of Physicians of Edinburgh, being determined to *support the honour and dignity of the profession of Physic in this place*, and to consult the utility and good of the public, do unanimously declare against the abuse of joining the profession of Physic with the employment of Surgeon or Apothecary; and hereby enact, that no person who is a member of the Incorporation of Surgeons or Apothecaries, or who keeps a shop for dispensing of medicines, shall hereafter be admitted a Fellow of the College: And further enact, that if any person who is at present, or shall hereafter become a Fellow of the said College, shall, after his admission, enter with the Incorporation of Surgeon-Apothecaries, or set up a shop for dispensing of medicines, the thing being notour, such person shall, *ipso facto*, forfeit all the privileges and immunities which he did or might enjoy as a Fellow of the said College, and his name shall be expunged out of the roll of Fellows; and appoint this act to be read to every Licentiate of the College when he is admitted a Fellow, that he may not pretend ignorance thereof.”

By



By this statute, the Fellows of the College were prevented from con-joining the profession of Physic with the employment of Surgeon or Apothecary.

In 1753, it appears that the College wished to increase the fees to be paid by all future Licentiates; and, on the 7th August, they remitted to a Committee "to consider how far it may be adviseable to augment the fees to be paid to the College by any future Licentiates, and to report their opinion against next meeting."

The Committee thus appointed to consider of the propriety of increasing the admission-fee of future Licentiates, were anxious either to discourage, or turn to the profit of the College, the practice then becoming prevalent, (*viz.*) of *persons exercising the trade of an Apothecary in Edinburgh* becoming Physicians, and demanding a license to practise Physic; and recommended that a triple fee should be exacted from all Licentiates engaged in the practice of Pharmacy. Their report was as follows.

" 6th November, 1753.

" The Committee appointed to consider and report their opinion, how far it may be adviseable to augment the fines to be paid to the College by any future Licentiates, has accordingly had this affair under their most serious attention; and considering,

" 1mo, *That, of late, many gentlemen keeping Apothecaries' shops, and practising Pharmacy, have presented to the College diplomas in Physic, purchased or obtained from some of the Universities of this part of the kingdom, and have thereupon claimed from the College a license to practise Medicine within this city, in the character of Physicians, without undergoing any trial or examination:*

" 2do, *That the greater part of the Fellows of the College still alive, have assented to, and subscribed a decret of separation, wherein it is inter alia declared, that the employment of Surgery and Pharmacy, being two different employments, and both requiring a great deal of care and knowledge, should hereafter be exercised, within this city of Edinburgh, and liberties thereof, by different persons, and that one and the same person should not exercise both employments:*

" 3tio, *That their argument against the conjunction of Surgery with Pharmacy, is still stronger against uniting in the same person the Physician and Apothecary, because these are two different occupations, either of them being sufficient to employ any one man's whole time and attention; and, therefore, it appears to be the interest of the public, that they should be exercised separately; nor can their union be judged at all necessary in so large a city as this, where those who practise either Medicine or Pharmacy by itself find encouragement so to do:*

" 4to, *That this appears to be the constant opinion of the College; because, by the statute, no Licentiate can be admitted Fellow, without subscribing an*  
obligation

obligation that he shall not take up or keep an Apothecary's shop for preparing and dispensing medicines *to his patients*; which obligation is made an express condition of his fellowship:

"5to, That it has often been furnished, and is supposed, that the smallness of the fine payable to the College by those who obtain a license to practise, has been, and may still be an inducement, with several, to undertake both Physic and Pharmacy, and to act in this double capacity, whilst they can for a small sum dignify the title of Apothecary, by uniting it with that of Doctor of Medicine:

"6to, Therefore the several Members of the Committee, with the advice and concurrence of some of the other Fellows of the Collège, are jointly of opinion, that it would tend very much to the honour, as well as to the interest of the College, and the good of the Lieges, to discourage this practice of uniting the Apothecary with the Physician in the same person, and that so good a purpose, in some measure, may be obtained; by augmenting the fine payable to the College by Licentiates at their admission, or afterwards, in the manner following, viz. That every Doctor of Physic, residing or practising within this city, or liberties thereof, who does not keep an Apothecary's shop, nor is in any way engaged in the exercise of Pharmacy at the time of his application to the College, shall, along with his petition for being admitted a Licentiate, give in to the College his bond for 1500 merks Scots, whereof 500 merks to be paid to the Treasurer *pro tempore*, immediately after he has received his license to practise Physic; but the remaining 1000 merks shall be payable only at the first legal term after he shall set up an Apothecary's shop, prepare or dispense medicines, or enter into copartnery with any person or persons for carrying on the business of Pharmacy. But if the Doctor so petitioning shall, at the time he applies for his license, be possessed of an apothecary's shop, or be any ways engaged in the exercise of Pharmacy, in this case the whole sum of 1500 merks shall be payable instantly upon receiving his license from the College to practise Medicine. \*

(Signed). "JOHN RUTHERFORD, P."

From this Report it is perfectly plain, that the practice complained of, and which it was wished to discourage, was that of persons who kept open Apothecaries' shops, and exercised the trade and profession of Pharmacy, getting from some University, not very scrupulous in the disposal of their diplomas, the degree of M. D., and, after dignifying the name of Apothecary with that of Doctor of Medicine, conjoining in one person the two professions: and it is equally clear, that what is here called Pharmacy, the conjunction

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\* It is proper here to mention, that Dr Gregory has left out the last article of this Report, in the copy which he published in his Review p. 5. and Def. p. 40.; and, by the omission, was enabled to give a different complexion to the object for which that Committee of 1753 was appointed, and to the measure recommended by it.



junction of which with the profession of Physic they wished to discourage, means the common trade of the Apothecary keeping an open shop and publicly selling drugs, and does not at all apply to the practice of Physicians furnishing medicines to their own patients. The argument against uniting the Physician and Apothecary, in clause 3d of the Report, "because these are two different occupations, *either* of them being sufficient to employ any *one* man's *whole* time and attention," can unquestionably be applied to the occupation of the common Apothecary only: and again, in the same clause, the expression "where those who practise either Medicine or *Pharmacy by itself*, find encouragement so to do," most undoubtedly alludes to the separate and distinct trade of Pharmacy alone. Also in clause No. 5, the practice complained of is with equal certainty designated to be the junction of the common Apothecary with that of Doctor of Medicine; "the Apothecary dignifying himself with the title of M. D." can only be considered as applying to the person publicly exercising that art.

Though, in all these clauses, and in every expression composing them, the Reporters unquestionably had in view the separation of the practice of Physic from the profession and trade of an Apothecary, the 4th clause, however, would lead one to suppose that their views went further, and that they wished to extend the restriction to *Licentiates*, so as to prevent them also from having even that limited connexion which was involved in the practice of furnishing medicines to their own patients; stating, in favour of their argument, that the Fellows were debarred from that practice by the statute of 1750. "That this appears to be the constant opinion of the College; because, by the statute, no Licentiate can be admitted Fellow, without subscribing an obligation, that he shall not take up, or keep, an Apothecary's shop, for preparing and dispensing medicines *to his patients*; which obligation is made an express condition of his Fellowship."

It is very remarkable, that the *statute* is here erroneously quoted; and the very important words, "*to his patients*," subjoined to "dispensing medicines," which give a more extensive and very different meaning to the expression, are in fact an interpolation.

As the object for which the Committee in 1753 had been appointed, was to consider the propriety of improving the funds, by raising the license fee; in the conclusion of their report they recommend, that not only all Physicians who kept Apothecaries' shops, but likewise all those who were *any ways* engaged in the exercise of Pharmacy, should pay a license fee three times as large as those who had no concern whatever with Pharmacy:

The College were willing to have adopted the mode of improving the funds proposed in this report, but prudently consulted Counsel respecting their powers to enforce such a measure. Counsel apprized them of the illegality of exacting different admission fees from persons all equally entitled to claim a license to practise; but at the same time suggested, that if the College wished to discourage the union of the professions of Physic and  
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Pharmacy,

Pharmacy, and *if such* a combination were unfavourable to the advancement of medical knowledge, and hurtful and dangerous to the public safety, that, in that case, the College were entitled to enact a by-law, enjoining and enforcing the separation of them. The College, upon this opinion and advice, passed the by-law of 1754, or enactment, as it is often called, which is in the following terms.

“ The Royal College of Physicians in Edinburgh, taking into their serious consideration the trust reposed in them by their Charter of Election, to watch over the practice of Physic within the city of Edinburgh and its liberties, and the full power vested in them by the said charter, ratified by act of Parliament, of making such acts and regulations as may contribute to promote the knowledge and practice of Medicine, and for the good government of the Fellows of the said College, and of all others practising Physic within the said city and its liberties : And also considering that an innovation and abuse has been lately introduced into the manner of practising Physic within this city and its liberties, whereby some Physicians licensed and authorized by the said Royal College to practise Physic, have also acted as Apothecaries, by keeping or setting up Apothecaries’ shops, and thereby conjoining the profession of Medicine and Pharmacy in one and the same person : And the said Royal College further considering, that this innovation and abuse tend to hinder the advancement of the knowledge of Medicine, and may prove dangerous to the health of the inhabitants of this city, and of the liberties thereof : They, by these presents, enact and ordain, that from and after the eleventh day of April one thousand seven hundred and fifty-four years, no Member of the College, nor any Physician by them licensed and authorized to practise Physic within the said city and its liberties, shall take upon himself to use the employment of an Apothecary, or to have or keep an Apothecary’s shop, by himself, his partners or his servants : And in case any such Physician shall do in the contrary, and shall thereof be lawfully convicted, he shall forfeit from thenceforth his right of Fellowship and his right and title to practise Physic within the city of Edinburgh and its liberties.

“ And for preventing the like abuse in time coming, it is hereby enacted and ordained, that from and after the said eleventh day of April one thousand seven hundred and fifty-four, all and every Physician, whether having received his degrees in Scotland, or in any foreign University, applying to the said College for a license to practise Physic in the city of Edinburgh, and liberties thereof, shall previously enact and oblige himself not to set up an Apothecary’s shop, nor to practise Pharmacy, by himself, copartners, or servants ; and with this condition, that if at any time thereafter he shall contravene, by taking up an Apothecary’s shop, and practising Pharmacy, by himself, his partners, or servants ; he shall, *ipso facto*, forfeit his license aforesaid, and be liable to be prosecuted for such practice, without license from the said Royal College, in the same manner as if he had never been licensed ; and that such condition shall be engrossed in all licenses to be granted



granted after the said eleventh day of April, one thousand seven hundred and fifty-four years.

“ And it is further enacted and ordained, that from and after the said eleventh day of April, one thousand seven hundred and fifty-four years, the said Royal College, and their successors, shall not grant any license to any Physician, whether graduated in Scotland or elsewhere, to practise Medicine within the said city or liberties, who, at the time of his application for such license, practises Pharmacy in manner above mentioned, until such Physician give up the practice of Pharmacy, and become bound and enacted not to practise the same in any time thereafter, in manner foresaid.

“ And the said Royal College ordain this act to be publicly read to every Physician who shall, after the said eleventh day of April, one thousand seven hundred and fifty-four years, apply to them for a license to practise Physic within the city of Edinburgh and its liberties. ”

A careful consideration of the terms of this act, and especially of its preamble, where the purpose and object of the act are specified, also afforded very strong grounds of doubt respecting the propriety of the common understanding of its purport and extent. The object against which the act is directly and expressly levelled, is “ an innovation and *abuse* lately introduced into the manner of practising Physic within this City and Liberties, whereby Physicians licensed and authorised by the said Royal College to practise Physic, have also acted as Apothecaries, by keeping or setting up Apothecaries’ shops, and *thereby conjoining the profession of Medicine and Pharmacy in one and the same person.* ”

On considering attentively the innovation and *abuse* here alluded to, and particularly the specification, that it consists in conjoining in the same person the profession of Medicine and Pharmacy ; and considering that this innovation and abuse is most distinctly and unequivocally specified, in the report 1753, to be that of many gentlemen who keep Apothecaries’ shops and practise Pharmacy, purchasing a degree, and then claiming a license to practise Physic, and, after having dignified the character of the Apothecary with the title of M. D., exercising two separate professions, “ either of which are sufficient to employ any one man’s *whole time and attention,* ” it appeared perfectly clear, that the abuse complained of, and intended to be remedied, was the junction of the Physician with the common Apothecary, in the common understanding and general acceptance of the name ; and therefore, it seemed *extremely doubtful* whether the act extended to, and included the practice of Physicians furnishing medicines to their own patients.

The doubts then arising were much increased by the consideration of the consequences stated to be apprehended from this abuse. “ And the said Royal College further considering, that this innovation and abuse *tend to hinder* the advancement of the knowledge of Medicine, and *may prove dangerous* to the health of the inhabitants of this City and of the Liberties thereof ; they, by these presents, enact, ” &c.

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That the *innovation and abuse* did here mean the junction of the two separate professions, the public Apothecary and the Physician, and did not apply to the limited and partial connexion, seemed to the Committee unquestionably clear and decided; and for this plain reason, viz. the pernicious consequences here indicated may arise from one person exercising the two professions, but cannot proceed from the practice of Physicians furnishing medicines to their own patients. If a man has his attention divided between the duties of the Physician and the concerns of a public sale-shop, the interests of Medicine may suffer; and if a person, exercising the profession of an Apothecary, and keeping a public shop, is at the same time engaged in the practice of Physic, "it may prove dangerous to the health of the inhabitants of this City;" as it is not impossible, that, while he is performing the duties of his medical profession abroad, the concerns of the open shop may, to the danger of the public, be neglected, or negligently performed, by his assistants or servants.

On the other hand, the Committee were perfectly convinced, that the practice of the Physicians in Edinburgh furnishing medicines to their own patients, could in no way hinder the advancement of Medicine; but, on the contrary, might in some respects tend to improve it, particularly in the important branch of Pharmacy, by directing to this subject the attention of the best educated, and, in general, the most enlightened members of the medical profession;—an attention more particularly demanded from the Members of the Royal College, as one of their public duties is to point out, by their Pharmacopœia, the mode of preparing the medicines kept in apothecaries' shops for general use.

The Committee saw, that it was perfectly impossible that this practice could prove dangerous to the health of the inhabitants of this city. Four parts out of five of the drugs used in Edinburgh, and nineteen out of twenty of those consumed in Scotland, are furnished by the practitioners who prescribe them; and no man in his senses can honestly allege that it would be dangerous to the health of the lieges, if the comparatively small proportion prescribed by the Physician were furnished in the same manner. Since, then, it is impossible that the practice of Physicians, *within the city and liberties of Edinburgh*, furnishing medicines to their own patients, could either tend to hinder the advancement of the knowledge of Medicine, or prove dangerous to the health of the inhabitants of this city, *there was the strongest ground for doubting* whether the said act did extend to this practice.

Throughout the enacting clause, no expression occurs to remove these doubts. The terms, *the profession of an Apothecary*, and the *practice of Pharmacy*, are not defined, and are of course left to be understood in their common meaning, and in the meaning in which they are employed in the Report of the Committee in 1753.

The doubts respecting the import and extent of this act, were much confirmed by the circumstance, that every expression introduced in the preceding



ing report of 1753, which might be supposed to include this practice, is carefully omitted in the act 1754,—and, it can scarcely be doubted, purposely omitted; in particular, the interpolated words, ‘*to his patients,*’ which would have removed every ambiguity, are entirely left out.

In the final clause of the said report, presented in 1753, for the sake of securing to the funds of the College the proposed triple entrance fee from every licentiate from whom it could, under any pretence, be exacted, a sweeping comprehensive expression is added. It is there said, that all those shall be liable to the heavy exaction, who are *anywise engaged in the exercise of Pharmacy*. Such an expression introduced into the subsequent enactment 1754, would have rendered the purport and extent of the law clear and indisputable. But neither it, nor any other expression of a similar nature, is employed; and, considering that these expressions were fully in the view of the College, being contained in the very report which gave rise to the act 1754, it appeared more than probable that they had been omitted on purpose, as going beyond the point to which the College meant the act to extend. The matter, therefore, is unquestionably left, in the enactment 1754, in a degree of ambiguity, which ought not to have been, and, as the Committee conceived, would not have been the case, had the College intended that the terms of the enactment should have clearly and decidedly comprehended the prevention of the practice in question.

The doubts of the Committee were also much strengthened by the conviction, that as no bad consequence could possibly arise from Physicians furnishing medicines to their own patients, the College had no right to impose any such restraint upon graduates of Scotch Universities who apply for licenses. The College is entitled to enforce any regulation necessary for the advancement of medical science, or the safety of the lieges; but their charter obliges them to grant licenses to such graduates, without any further restriction. “*Et dictum Medicorum Collegium, more prædicto erigendum, per præsentem obligatur quemvis hominem seu homines in dictis Universitatibus laurea doctorandis, absque quovis prævio seu antecedente examine, sed solummodo ad ipsorum diplomatis, seu ad gradus admissionis Præsidii dicti Medicorum Collegii productionem licentiarum.*”

In 1761, some very important proceedings took place, which exhibit in the clearest manner the light in which the College viewed the object of the act 1754, and which, in a special manner, confirm the doubts entertained by the Committee respecting the purport and extent of that by-law.\* It appears

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\* As the whole of these proceedings in 1761, and, in particular, the terms of the advertisement, in a special manner, support the doubts of the Committee, (the assertion of the existence of which doubts Dr Gregory calls a notorious falsehood), respecting the purport and extent of the act 1754, Dr Gregory has, with great want of candour and fidelity, entirely suppressed all mention of them. The omission could not be accidental, nor from oversight, as he actually quotes some facts of the same date, taken from the same page of the minute-book in which they are in part recorded.

appears from the minutes, that the act 1754 had not proved so effectual in accomplishing the separation of the two professions of Pharmacy and Medicine as had been wished; and therefore, on the 4th of August 1761, the following motion was made by Dr William Cullen.

“ That whereas the act, 11th April 1754, made by the College for separating the practice of Physic and Pharmacy, had not yet been rendered effectual, it might be proper for the College to think of the means of rendering it so.

“ The College remit to the Council, and to Dr Cullen and Dr Monro senior, as a Committee, to consider said matter, and to report their opinion with all convenient speed. ”

Nov. 3d, 1761.—“ The Committee, to whom it was remitted to consider how the act of the 11th of April 1754, for separating the practice of Physic and Pharmacy, may be rendered effectual, reported, That they had well considered that matter, and had prepared the draught of an advertisement, which they thought would be proper for the College to publish; and the same being read at this meeting, the College unanimously approved thereof, and appoint the same to be published in each of the Edinburgh newspapers for two several times, and to be signed by the clerk, and of which advertisement the tenor follows.

“ The Royal College of Physicians at Edinburgh, charged with the care of the practice of physic within the city of Edinburgh and liberties thereof, judging, from many weighty reasons, that it would be greatly for the benefit of the inhabitants within the said bounds, that the profession of the Physician, and *the trade of the Apothecary*, should be kept distinct and separate, *did, some years ago, resolve and enact*, that no person should thereafter obtain the license of the College to practise Physic, unless he should renounce the business of the Apothecary, and at the same time give to them proper evidence of his being duly qualified to act in the capacity of Physician. This, notwithstanding, the College are informed, that several persons, assuming the title of Physicians, act in that capacity, without having obtained a license for so doing from the College, and at the same time *abstract their attention from the important trust of the health and lives of the lieges reposed in them, by exercising also the trade of the Apothecary*. To prevent this and the like abuses for the future, the said Royal College do hereby certify all whom it may concern, that they are resolved to prosecute, as their patent authorises and directs them to do, all such, who, without their license, shall, from and after the term of Candlemas next to come, assume the title of Doctor of Physic, and prescribe for the internal diseases of the inhabitants of Edinburgh, or of its liberties; and that they have unanimously determined not to consult with, or otherwise consider, such unlicensed practitioners as Physicians. And, that it may be known who are at present Fellows of their College, or licensed by them to practise Physic, a list of both is hereunto annexed. ”

It



It is impossible to read this document, without being satisfied that the purport and extent of the act 1754, announced in this most public manner in 1761, was to separate and keep distinct the profession of the Physician, and the *trade* of the Apothecary; and that the *trade* of the Apothecary here mentioned, means the trade of the public shop, which abstracts the attention of Physicians from the important trust of the health and lives of the lieges reposed in them. In this most deliberate and public statement of the purpose of the act, there is not the smallest hint or allusion to the practice of furnishing medicines to patients, as forming a part of the provisions of that act.

From the statement which has been given, it must appear, that the Committee were of opinion,

1. That the *innovation* and *abuse* in the practice of Physic, complained of in the *Report* of 1753, was unquestionably the junction of the profession of the Physician with that of the common Apothecary.

2. That the innovation and abuse stated in the preamble of the by-law 1754, viz. the conjoining the profession of Medicine and Pharmacy in one and the same person, which may hinder the advancement of the knowledge of Medicine, and may prove dangerous to the health of the inhabitants of this city and liberties, cannot, in reason, apply to the practice of Members of the College furnishing medicines to their own patients; and that there is no expression in the enacting clauses of the said by-law which specially applies to this practice.

3. That the College, by a formal and public act and advertisement, declared, in the most explicit and unequivocal terms, in the year 1761, that the object of the by-law 1754, was the separation of the profession of the Physician from the *trade* of the Apothecary, without the most distant allusion to the practice of Physicians furnishing medicines to their own patients.

4. That the power vested in the College by their charter, to watch over the practice of physic in Edinburgh and its liberties, did not authorise them to prevent their members, graduates of Scottish Universities, from practising physic in any manner that did not hinder the advancement of medical knowledge, nor endanger the welfare of the citizens; and consequently, that they had not the power to prevent their members from furnishing medicines to their own patients. Such being the sentiments of the Committee, *doubts* most naturally and most certainly arose in their minds respecting the extent and purport of the by-law 1754, and respecting the true and just interpretation of it. Though Dr Gregory most confidently declared the assertion of the Committee, "that doubts had arisen," to be notoriously false, it may be presumed with safety, that every reader will be satisfied, that this aspersions of the Committee was wantonly malicious; and most readers will probably join the Committee in admitting, that the grounds of doubt were neither trifling nor unreasonable.

The Committee were so strongly impressed with these doubts, that they conceived themselves not only warranted, but in duty bound, to submit them to the consideration of the College; and they suggested the plan of prefixing the declaratory clause, in place of repealing the act 1754, and making a new enactment free from ambiguity; for this reason, that they wished to preserve, with all the authority of a prescriptive duration of fifty years, the indisputed object of the act 1754, that of preventing the union of the profession of Physician with the trade of Apothecary.

### APPENDIX, No. III.

*REASONS of DISSENT by Dr ANDREW DUNCAN, Junior, why the Act of 1754 should not have been confirmed and continued; which Reasons of Dissent form part of the Minute of the Quarterly Meeting of the Royal College of Physicians, held 5th November, 1805.*

1<sup>st</sup>, Because the reasons stated in the preamble for passing that act, appear to me to be unfounded. Daily experience proves, that combining the practice of Medicine and Pharmacy in one and the same person, does not hinder the advancement of the knowledge of Medicine, or prove dangerous to the health of the inhabitants of this City.

2<sup>d</sup>, Because one principal reason which influenced the College in passing that act, and, in my opinion, the only reason, which, although erroneous, is at all plausible, is not avowed in the preamble, viz. an opinion, that the practice of Pharmacy was derogatory to the dignity of a physician.\*

3<sup>d</sup>, Because the terms in which the restriction is expressed, appear to me to be ambiguous, and to admit of different interpretations.

4<sup>th</sup>, Because the particular manner in which the College secures obedience to the restrictions imposed on its Members by that act, by obliging candidates for a license to specify, in their petition, their consent to submit to them, appears to me to be unworthy of the dignity of the College, and

\* See report of a Committee for considering this subject, presented to the College in November 1753, and also the act of 1750 prohibiting Fellows from practising Surgery or Pharmacy, and the act 1765, relative only to Surgery.



and to imply a consciousness, that, in enacting them, the College exceeded its powers, and could not otherwise enforce them. \*

5th, Because I am of opinion, that it is improper for the College to put it out of their power to admit as Licentiates, or to raise to the dignity of Fellow, those Physicians, who may, in other respects, be highly deserving of their esteem, and whose names may even do honour to their list, when no other objection lies against them, but that they practise particular branches of the healing art. †

6th, Because the act seems to impose an unnecessary, and what may, perhaps, in some instances, be even a cruel restriction on such of our Members as may choose to profit by the practice of other branches of Medicine. †

7th, Because I think the following opinion of Dr John Gregory incontrovertible. "In regard to Pharmacy, it were much to be wished, that those who make it their business should have no connexion with the practice of Physic, or that Physicians should dispense their own medicines, and either not charge the expense of them to their patients at all, or charge it at the prime cost. It is only in one or other of these ways that we can ever hope to see that simplicity of prescription take place in the practice of Medicine, which all who understand its real interests so ardently wish for; and it is only from such an arrangement, that we can expect to see Physicians placed in that honourable independence, which subjects them to no attentions but such as tend to the advancement of their art." ‡ And as, in the present state of the practice of Medicine in this City, the powers of the College are inadequate to the purpose of carrying the former of these alternatives into effect, I consider it improper for the College to prevent its Members from adopting the latter.

8th, Because "the purpose and intendment of erecting bodies corporate within particular districts, with exclusive privileges, is not so much to limit or confine the members of such body corporate in the exercise of their callings, whereby they may not be at liberty to apply themselves to other callings compatible with that which is the principal object of their charter of erection, as to secure to them the sole and exclusive exercise of  
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that

\* See Remit to a Committee appointed in 1765, to consider whether it would not be both *lawful* and proper to refuse to license even Scottish graduates, who should practise Surgery.

†† See opinion of a Committee, consisting of Drs Hay, Monro, Duncan, N. Spens, Langlands, Rutherford, and James Gregory, presented to the College in February 1788, on the expediency of repealing the resolution of the College of 1772, excluding both Fellows and Licentiates from practising Surgery, Midwifery, or any other branch of Surgery.

‡ See Lectures on the Duties and Qualifications of a Physician, by John Gregory, M.D. F.R.S. second edition; revised and corrected by James Gregory, M.D. p. 43.

that particular calling which is the object of the grant, from being encroached on by unfreemen or others, who are not admitted members of such society." §

9th, Because the abrogation of that act would not authorise any encroachment on the rights of other corporate bodies, which would remain as entire, as if no such act had ever been thought of.

And finally and chiefly, Because I am of opinion, that the act 1754, so far as regards Licentiates, exceeds the powers vested in the College by their charter; ‡ and is an encroachment on the privileges of the Scottish Universities, which are expressly secured to them in that charter. "*Et dictum Medicorum Collegium, more praedicto erigendum, per praesentes obligatur quovis hominem seu homines in dictis Universitatibus laurea doctorandis, absque quovis praevio seu antecedente examine, sed solummodo ad ipsorum diplomatis, seu ad gradus admissionis Praesidi dicti Medicorum Collegii productionem licentiare.*"

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#### APPENDIX, No. IV.

QUERIES proposed by DR GREGORY to the Royal College of Physicians, at their Meeting 5th November, 1806, with respect to an Admonition about Secrecy given at their Meeting in August 1806.

1st, Does it extend and apply to *all things*, without exception, *done* by this Royal College, or *said* or *done* by any member of it individually, in any meeting of this College, or of its Council?

2d, If it extend to all things, by what authority is such an Admonition given, or such an obligation imposed?

3d, Is there any law of this Royal College that has such a meaning and extent?

[Read

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§ See Answer of Mr Lockhart to a Memorial of the College, dated 31st October, 1768.

‡ See Reasons of Dissent, signed by Drs Cullen, John Gregory, Black, Monro, Young, Ramsay and Hay, against the act passed in February 1769, with regard to Surgery, in the same words, *mutatis mutandis*, as the act 1754, relative to Pharmacy.



[Read the Promissory Engagement.—*Regulations*, sect. vi. art. 15. par. 5. p. 21.]

4th, Does this obligation of secrecy extend and apply to the ordinary business of the College, such as granting licenses, admitting fellows, electing office-bearers, revising and reprinting our Dispensatory, &c. all which things are usually announced in the common newspapers?

5th, Does it extend to things *done* by this College out of the common course of business, but withal *honourable* to the College, and to the *individual members* who *proposed* them; such as, the election of honorary members; for example, Dr Jenner; and the very liberal encouragement, by money and otherwise, given by this College to various plans of public benefit: which things also used to be announced in the newspapers?

6th, Does the obligation of secrecy extend and apply only to things *positively dishonourable*, done by this College, or *acted* or *spoken* by any of us individually in the meetings of this College, or Council and Court thereof?

7th, Does it extend and apply only to things *dishonourable*, or, as I should rather call them, *indecorous*, said or done by any of us *inadvertently*, from mistake, or from *sudden* and *great provocation*, or from natural *warmth* or *peevishness of temper*, or from *ignorance* of the subject matter of discourse, or from weakness of understanding, or from any other *infirmity* of human nature?

8th, Does it also extend and apply to things *dishonourable*, *deliberately* done by this College, or *deliberately* acted and spoken by any of us individually, in the meetings of this College?

9th, Does it extend and apply to things *dishonourable*, as being *morally wrong*, or only to things *disgraceful* to us, *collectively* or *individually*, as being very foolish, but yet *deliberately* done by this College, or acted or spoken by any of us individually?

10th, Can the *divulging* of things neither foolish nor morally wrong, said or done *deliberately* in, or by, this College, tend to the prejudice or defamation of the fame, or of any member thereof?

11th, Is it *possible* to *divulge* any thing acted or spoken in this College, that may tend to the prejudice or defamation of the fame, or of any member thereof, unless *such* things, truly *dishonourable*, shall *previously* have *been acted* or *spoken* in this College?

12th, Do our office-bearers *know* of any *intention*, on the part of any of our members, to *speak*, or *propose*, or *do*, in this College, any thing *dishonourable*, either as being *very foolish*, or as being morally wrong, the *divulging* of which would tend to the prejudice or defamation of the fame, or of any member thereof?

13th, If they *do* know of any such *dishonourable* intention, whether only *foolish* or *morally wrong*, on the part of any of us, what is it? Let us all know what that *dishonourable* thing is, that we may be on our guard against it, and be prepared to oppose it; and if we cannot prevent it from being

*poken*, or *proposed*, and *urged*, in our College, at least be enabled to prevent that *dishonourable* purpose from being carried into effect.

14th, Who are the *individuals* who have formed, and persevere in the design of *acting* and *speaking*, in this College, things, the divulging of which would tend to the *prejudice* and *defamation* of the same, or of any member thereof?

We ought all to know them, as well as their *bad* purpose, that we may be on our guard against *them*.

15th, Have our office-bearers, as in duty bound, done all in their power to dissuade from their dishonourable purpose those unworthy members of our College?—Or,

16th, Have our office-bearers contented themselves with thus endeavouring to bespeak the secrecy, and enforce the connivance, of the other members of this College, with respect to things notoriously dishonourable?

## APPENDIX, No. V.

*Referred to, Narrative, p. 67. & 68.*

### LETTER to DR BUCHAN.

MY DEAR SIR,

EDINBURGH, 13. February, 1808.

The wars in which you found our College unhappily engaged, I am sorry to say, still continue. I shall not, however, at present, attempt to give you an account of our proceedings since you left us; which is less necessary, as the Members of the College received, at the quarterly meeting this month, above two hundred quarto pages in print, as part of a new intended publication by Dr Gregory, and as Dr Hope is preparing to publish, in behalf of himself and the Committee, which will explain matters much better than I can in a letter. My reason for troubling you now is, because Dr Gregory, in this new publication, asserts that, with the exception of Dr Stuart having mentioned to him, that in 1796 there was a majority for my motion, "*no attempt* has been made to point out to me any error, either in those things which, in my Review and Censorian Letter, I had stated as matters of fact, or in those sentiments which



which I had expressed with respect to the principles of moral conduct, or in my mode of reasoning, and in the inferences which I had drawn from those things, which I had considered and stated as matters of fact. ”

As mention, therefore, must be made in Dr Hope's publication, of what you said at the extraordinary meeting of the College on the 19th of May, and of some of the errors which you pointed out to Dr Gregory, at his interview with you at your lodgings on the 23d May 1807, I shall transcribe from notes which I wrote to assist my recollection immediately after that meeting, and after I received from you an account of that interview with Dr Gregory, such parts as relate to the present subject, requesting that you will have the goodness to let me know, as soon as possible, whether you think them accurately stated.

“ 19th May.—Dr Buchan then rose and said, that as he was not to remain here above a few weeks longer, he thought it his duty to state some circumstances to the College, as he conceived that the unpleasant affairs which had lately occupied them, had entirely originated in misconceptions, which, he thought, he could easily point out and explain. That he had received the Review and Censorian Letter at Gibraltar. ”

“ Upon which he was interrupted by Dr Home ; and the President observed, that as we had met this day for a particular purpose, he was afraid the College could not now hear Dr Buchan on that subject, but requested him to put his intended observations in writing. Dr Buchan replied, that he had not time to put his thoughts in writing ; but that he would take an opportunity of communicating, privately, what he wished to have said, to Dr Gregory and to some of the other Members. Dr Gregory said, that he would be most happy to hear Dr Buchan : and the President added, that if Dr Buchan could contribute towards putting an end to the late most unpleasant differences, it would afford him the highest satisfaction. ”

The following are the notes which I took of your conversation with Dr Gregory on the 23d May 1807, as above stated. “ Dr Buchan informed Dr Gregory, that the Committee was *not packed* ;—that the Members of the Committee did actually *differ in opinion about the meaning and interpretation of act 1754* ;—that he, Dr Buchan, was for repealing the act entirely ;—that as it had only been passed fifty years ago, and as Counsel had been previously consulted, he did not think there was any *immorality* in changing or repealing it ;—that he considered professional knowledge, general learning, and good character, as the principal requisites for a Physician ; and that, with these qualifications, there was no need for restrictions ;—that the Committee had only proposed alterations, trusting to advice and assistance from the College ;—that they had not pledged themselves to vote in any particular way in the College ; but, on the contrary, that it was understood among themselves, that they were to give their votes in the College according to their conviction, after hearing their brethren ;—that, in December 1804, the Committee had decidedly agreed to give up the proposed changes on the act 1754 ; and that, on this account, in-

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stead of being censured, as they had been by Dr Gregory, he had expected they would have received the thanks of the College."

"Dr Gregory said, that he had not been properly informed of the resolution of the Committee to give up the measure in question."

I am afraid that the above is but an imperfect account of your conversation with Dr Gregory; but I am pretty confident that it contains the substance and most material parts of what you mentioned to me; and, under that impression, in case I have not the pleasure of hearing from you within a reasonable time, I shall give it to Dr Hope as authentic. With best wishes, &c. I remain,

Dear Sir,

Yours most sincerely,

(Signed) TH. SPENS.

Dr JAMES BUCHAN, Physician, &c.  
Gibraltar.

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*Dr BUCHAN'S ANSWER to the foregoing Letter:*

MY DEAR SIR,

GIBRALTAR, 8. May, 1808.

The notes stated in your letter contain, to the best of my recollection, (for I have no memorandums), the outlines of the conversation I had with Dr Gregory. As an old pupil of a man, whose character I very much respected, I thought it my duty to supply him with any information which might appear to me to have a tendency to promote reconciliation. Although disappointed in its not having produced the desired effect, I have still the satisfaction of reflecting, that I have done what I considered to be right.

Some circumstances may have occurred, since I left Scotland, which may render it necessary to write a book, otherwise I am as decidedly against it now as I was then; conceiving that it is unnecessary, and that it will only add fuel to the flame. Indeed, I cannot suppose that any blow can be aimed at the Committee, which may not be completely warded off by the shield furnished us by our brethren of the College, 10th May 1805.\*

Their

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\* Dr Buchan here alludes to the Resolution of 5th February, 1805, but, by mistake, mentions 10th May, 1805, the date when that Resolution was printed, after receiving the sanction of the College on the 7th May, 1805.



Their very ample approbation of the conduct of the President and Members of the Committee, appears to me to be a sufficient answer to any volume, or number of volumes, that can be written on the subject.

You, however, who are on the spot, may have reasons for writing, with which I am unacquainted; and the strict principles of honour and integrity, together with the moderation and forbearance which have so remarkably distinguished your proceedings, leave me no room to doubt respecting the propriety of your decision.

Have the goodness to remember me, &c. And believe me to be, with great regard,

Dear Sir,

Your most obedient servant,

(Signed) JAMES BUCHAN.

*Dr THOMAS SPENS, Fellow of the  
Royal College of Physicians, &c.  
Edinburgh.*

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## APPENDIX, No. VI.

*Referred to, Narrative, p. 29.*

SIR,

*Edinburgh, January 9th, 1809.*

As the Council of the College of Physicians are engaged in drawing up a narrative of Dr Gregory's conduct towards the College, and as it was mentioned, in the meetings of the College, that you are the gentleman alluded to by Dr Gregory in page 8th of his Censorian Letter, we request you will inform us, whether the statement of Dr Gregory, so far as it relates to you, be correct. I am,

SIR,

Your most obedient humble servant,

*JAMES HOPE Esq.*

(Signed) CHA. STUART, P.

SIR,

*Edinburgh, 12th January, 1809.*

IN compliance with your request, contained in your letter of the 9th current, that I should acquaint the Council of the College, whether the account of the interview (Censorian Letter, p. 8.), in which Dr Gregory introduces

introduces me as an evidence against my brother Dr Hope, be correct; I beg leave solemnly to assure you, that the whole of his statement and colouring, so far as relates to me, is untrue.

I remember coming into my brother Dr Hope's library, when Dr Gregory and he were finishing a conversation about the business of the College of Physicians, which did not interest me, and of which I heard very little, and could repeat nothing. But I do solemnly declare, that the story of my having interposed between Dr Gregory and Dr Hope, as stated by Dr Gregory, is altogether a *fabrication*—that I said not a word, on the subject of their conversation, which bore any relation to my brother's conduct or sentiments—far less did I, directly or indirectly, express any condemnation of them, or use expressions which could justify such an inference.

My brother, I knew, was preparing to set off for the country; and Dr Gregory and I conversed, for a considerable time, in our usual friendly and familiar manner, upon various subjects, and, among others, joked about the skill of lawyers, and the different views which different lawyers could give of the same thing.

Whether, in the course of this conversation between Dr Gregory and me, on the outside of the street-door of the house, and in reply to some general observation on his part, I may have made the equally general and just remark, 'that every thing should be done openly and fairly,' my recollection does not permit to say, and did not enable me to say, at the period of the publication of Dr Gregory's book. But such expressions, if used, were never employed by me in relation to my brother's sentiments, or any line of conduct or sentiment of his, or imputed by Dr Gregory to him.

It is proper that I should add, that, in a letter which Dr Gregory wrote me, 28th January 1805, accompanying a copy of the Censorian Letter after he had begun to distribute it, he gave the same statement as in the Censorian Letter, of the interview with Dr Hope, and of my expressions; leaving out, however, his observations on the peculiarity of the emphasis used, and the inferences which he drew from the expressions and emphasis.

I regret extremely that Dr Gregory afforded me no opportunity of seeing his Statement previous to its publication, as it might have saved much painful feeling: But as it was not communicated to me till after it was in circulation, all intercourse with Dr Gregory on the subject was precluded.

I remain,

SIR,

Your most obedient Servant,

(Signed) JAS. HOPE.

To DR STUART, President,  
Royal College of Physicians.









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